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OFFICIAL LETTER BOOKS
OF
W. C. C. CLAIBORNE
1801-1816

EDITED BY
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VOLUME II.

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LETTER BOOKS OF W. C. C. CLAIBORNE

1804-1806

To Mayor Bore

New Orleans March 1st 1804

Sir,

Through the representations of the Municipality, I am made acquainted with the complaints of the people against the fees allowed to the officers of the Court of Common pleas in this City, and the jurisdiction of Said Court in certain cases.

The inconveniences remonstrated against, I had previous to the receipt of your Letter, in part remedied, by increasing the powers of a single Magistrate, and giving him cognizance of all demands under one hundred dollars.

With respect to the fees of the Officers, the subject shall be enquired into, and such decree made, as shall appear to me best suited to the General interest of my fellow Citizens.

Accept assurances of my great respect and high consideration.

(Signed) Wm. C. C. Claiborne

The Honble.

The Mayor of the City of New Orleans

Trading House License

William C. C. Claiborne Governor of the Mississippi Territory, exercising the powers of Governor General and Intendant of the Province of Louisiana

To all whom these presents shall come!

Know ye, that Bartholomew Shaumberg has permission to establish a Trading House, at each of the posts of Natchitoches and Ouchitaches, for the purposes of carrying on trade with such of the neighboring Indians as may choose to visit those posts.

This License is to continue in force, during the pleasure of the Governor for the time being, or until Congress shall make provision for regulating trade and intercourse with the Indian Tribes West of the Mississippi River.

Given under my hand and the seal of the administration at the City of New Orleans, the 1st day of March 1804, and in the 28th year of the Independence of the United States of America.

(S. L.)

(Signed) Wm. C. C. Claiborne

By the Governor

Thos. H. Williams

P. Sec.

To Beverly Chew

New Orleans March 2nd 1804

Sir,

You will perceive by the enclosed Statement that a certain Joseph Perry, a Seaman, complains of being imprisoned by his Captain without just cause—you will be pleased in your *judicial capacity* to enquire into the circumstances of this case, and take such measures as justice may demand!

I am Respectfully your obdt. St.

(Signed) Wm. C. C. Claiborne

Beverly Chew Esqr.

Justice of the Court of Common Pleas

Dr. Watkins¹ Report.—

Sir,

In conformity to your Letter of the 9th Instant whereby I was directed to proceed with all convenient dispatch to the different parishes or districts above the City &c, for the purpose of making suitable appointments of Commandants for the same, I have the Honour of making to you the following report!²

In the Parish of St. Charles or the District of the first German Coast, which begins about seven leagues above Town, I found that the former Commandant Mr. St. Amand had already received his Commission, and instructions directly from your Excellency, and was actually engaged in the different functions of his office. He had no hesitation in taking the oath of allegiance to the United States, or that of his office, and having communicated to him the substance of your Excellency's instructions, and received assurances on his part of the good disposition of the inhabitants of his district, towards the Government of the United States, I proceeded without delay to the Parish of St. John the Baptist, or the District of the second German coast.

Here I presented to Mr. Manuel Andry the former commandant your letter re-appointing him to the same Office. He expressed great satisfaction in this proof of the confidence reposed in him by your Excellency, rejoiced at the annexation of these Countries to the Dominion of the United States, and begged me to assure you that he entered with pleasure into the necessary obligations of his Office, and that nothing on his part should be wanting to promote the happiness and prosperity of the Country, by a cheerful Co-operation in all the measures

¹ Claiborne's confidential agent.

² An intelligent, interesting report of opinion and political and economic conditions in the districts.

which the wisdom of its rulers might think proper to adopt. At the termination of this District, begins the Acadian Coast and the Parish of St. James of which Mr. Cantrell was, and has by reappointment been continued Commandant. He has Exercised the duties of this office for 28 years, to the general satisfaction of all the inhabitants. He is a wealthy and very respectable Planter, a Man of good sense and great uprightness of conduct, possessing popular manners, and the Universal esteem and confidence of his district. He does not however speak english, and requested me to offer this as an apology for his not having answered your Letter of the 14th Ultimo. This however he proposes shortly to do, and begs you in the mean time to be assured of his best exertions in the support of the American Government, and in the discharge of the duties of his civil administration.

The next Parish in ascending the river is that of La fourche de Chatimachur. This District was formerly governed by Mr. Croquer, an officer attached to the Spanish Service, who in consequence of this circumstance was obliged though very reluctantly, to decline accepting a re-appointment. In choosing his successor as well as in the other appointments, I had occasion to make, I kept constantly in view the instructions of your Excellency. After having made myself personally acquainted with many of the principal characters of the Parish, and consulted a great number of the inhabitants, I commissioned in the place of Mr. Croquer, Mr. Joseph L'Andry, a wealthy farmer and the person who had always acted as Commandant Per interim during the absence of Mr. Croquer.

This Gentleman altho born in Acadia, has resided many years in Louisiana, speaks the English and French Languages, professes strong attachment to the Government of the United States, and possesses the unlimited confidence and affections of all the inhabitants of the

District in which he lives. He begged me to assure you of his zeal, and best exertions in discharging the duties of his office, and of his desire to prepare his fellow Citizens for the reception of the inestimable blessings they were entitled to expect, from the wise and just operations of the American Government in this Country. The District of Valenzulla dans la fourche is composed of all that Country situated upon each side of the Fork from its going out of the Mississippi to its entrance into the Gulph. It is in length upwards of fifty leagues, forty five of which are inhabited. The former Commandant of this District Mr. Villaneuva anxious to remain in office, and uniting from the best information I could collect, an attachment to the American Government to the esteem and confidence of the inhabitants, was agreeably to your instructions re-appointed. It is proper that I should here stop in my narrative to communicate to you, a piece of information as coming from Mr. Villaneuva highly important to the Political as well as the Social and Moral interests of the Government and inhabitants of the Country. Some few weeks ago, during the absence of Mr. Villaneuva, there passed up the Fork from Sea, a Vessel having on Board twelve Negroes said to have been Brigands from the Island of St. Domingo. These Negroes in their passage up, were frequently on shore, and in the French Language made use of many insulting and menacing expressions to the inhabitants. Among other things they Spoke of eating human flesh, and in general, demonstrated great Savageness of Character, boasting of what they had been and done in the horrors of St. Domingo. It would appear that this Vessel was either Commanded by, or the Slaves on Board under the immediate directions of, one Mercier a lame Man, who keeps a Billiard Table at Mr. Languedocks upon the Levee in this Town. The Vessel with the whole of the Slaves on Board passed from the Fork into the

Mississippi, and pursued their route up the River, since which time no accounts have been heard of them. Mr. Villaneuva proposes in a short time to transmit to your Excellency all the information he may be able to collect upon this Subject, but in the mean time he relies upon me for giving you this early notice, and expresses his wish that your Excellency would take such measures relative thereto as the importance of the case may require.

The District next to that of La fourche and extending up one side of the Mississippi as high as Plaquemines and on the other side of the Bayou Iberville was formerly commanded by Mr. Rivas an officer in the Spanish Service. In the place of this Gentlemen, I have appointed Mr. Nicholas Rousseau, who has resided upwards of twenty years in the Country, speaks the English and French Languages, and possesses with the Esteem of his Neighbors, the reputation of an Honest intelligent Man. In justice to Mr. Rivas I cannot help observing, that he expressed in the strongest terms his regret at not being able to continue in Office, and begged me to assure you that the American Government might calculate upon his cordial support, and as it was his intention shortly to withdraw from the Spanish Service, he would then, and even in the meantime as far as it was in his power, and consistent with his situation, offer his services to the Government and do every thing to assist his successor which might be required of him.

From Plaquemines to *Taupe Riviere* a distance of about 12 Leagues was formerly attached to the Government of Baton Rouge, and was consequently on my arrival found destitute of any Commandant. In this place, which I have called the District opposite to Baton Rouge, I have appointed Mr. William Wikoff a Gentleman well known to your Excellency, a native of the United States

and remarkable for his attachment to the Government. In this District, it may be necessary for your Excellency to take some particular arrangements, relative to the Archives and Public Documents from the circumstances of their all being lodged in the possession of the Spanish Governor of Baton Rouge.

Galvis-Town is situated about ten Leagues from Baton Rouge upon the River Ibberville, a little below its junction with the Amite. There are but a few inhabitants in this place, and notwithstanding its beautiful and advantageous situation there are but about 28 families in the whole of that part of the District which remains to the United States, and not above 25 or 30 Slaves. There is here a small Fort, with a few pieces of bad Cannon and 12 Spanish Soldiers, which are Commanded by Don Thomas Esteven, an Officer in the Service of his Catholic Majesty. This gentleman has solicited his retreat, and Sincerely laments that its not having arrived, prevents him from immediately becoming an American Citizen, and consequently from continuing in the Command he has hitherto occupied. Should this event take place during your administration permit me Sir to recommend this Worthy Man to your notice and protection. The universal affections of a whole District, is the recompense of his past Services, and his integrity and goodness of character, will secure him your favour and patronage. In place of Mr. Esteven I was compelled for the want of a greater variety of Character, to appoint Mr. Alexander Morie Civil Commandant of this District. He is by birth a Scotchman, has passed twenty years in the Country, is a Man of good Sense and incorruptible honesty, but unfortunately a great Drunkard. He speaks the two languages, and I believe him serious when he declares his attachment to the American principles and Government. As it may be necessary to Send a Military Commandant to this Post, your Excellency can take such measures as

will better secure its good Government, seeing that there is no person there at present in whom much trust or confidence can be placed. The inhabitants of the Country in general, Speak english, the Balance who reside in the Town are chiefly Spaniards poor and very miserable. In the choice of Commandants as well those who have been reappointed, as those who have been created anew, I have paid strict attention to the instructions of your Excellency in endeavouring to unite integrity of Character and the public Confidence, to the Principles and feelings of American Citizens. In my conversations with them, I endeavoured to impress upon their minds high and honourable ideas of the American Government, the importance of their own situations, and the absolute necessity of their administering Strict, prompt and impartial Justice. In my Communications with the people generally, I had no difficulty in convincing them, that under the Government of the United States, their liberty, property and religion would be protected, and that notwithstanding whatever might be insinuated to the Contrary, their political destiny was now permanently settled, and that the Province of Louisiana would never revert again, either to France or Spain or be detached from the United States. This information was in general received with pleasure, and although there are some few characters who from habit or motives of particular interest or prejudice, would prefer the Spanish and others the French Government, yet I am fully persuaded that a large majority of the most respectable people of the Country, are better satisfied with their present situations, and sincerely rejoice at their adoption into the Government of the United States. They are prepared for a change and wait with impatience for the introduction and operation of a more wholesome and vigorous system of Laws, than they have for many years past been accustomed to. During the loose and irregular Government of

Spain, public Spirit sunk into Selfishness, the interests of the State were sacrificed to personal aggrandizement, the Laws were trodden under foot, crimes left unpunished, or punished too severely, all was disorder and confusion. It will therefore be necessary for you to instruct the different Commandants to recall the inhabitants to an obedience of the Laws, by punishing the guilty and protecting and encouraging the innocent and praiseworthy.

The roads and bridges are neglected, and the Levee in many places out of repair; the proprietors of Lands are with difficulty brought to labors of this kind. The regulations of the Country relative to these Subjects have been so long neglected, that they require to be renewed to be believed or obeyed. The negroes are in a shameful state of Idleness, and want of subordination. They are suffered to wander about at night without passports, stealing, drinking and rioting where ever they go to the great prejudice of their owners, and all honest members of Society. Taverns are every where opened, without proper Licenses, and ardent Spirits indiscriminately Sold to every description of persons to the injury of the Public revenue, and the great incouragement of vice and immorality. Some regulations upon these Subjects, originating with your excellency, and passing with your sanction through the different Commandants to the people, would I am persuaded have a good effect. The natives of this Country are naturally docile, and easily governed, and from habit are disposed to respect and obey their chief. It is proper that I should here mention to you, a species of grievance among the farmers that is highly injurious to them, and becoming a serious evil to the Country at large. There are a number of persons called Gabateurs, in French, Who buy up in Town a quantity of Taffia, Sugar & Coffee, but chiefly of the first of these articles, and in a canoe or other small craft, they

ascend the river as far as the upper Settlements, for the purpose of Trading with the negroes for stolen goods. They lie by in the course of the day, and as soon as night comes on, they go into the different huts or cabbins, or receive the negroes on Board their craft, and purchase of them for Taffia, all the clothes, plate, fowls or other things, which they may have stolen from their masters, or other persons. Having sold off their cargo, these Gabateurs return to Town with their stolen goods which are converted into money, for the purpose of recommencing this nefarious traffic. The Baron De Carondelet by some strict measures of police, had broken up this miserable Pedlary, but since his time, the evil has returned with renovated force, and the inhabitants of the river, those of the fork, and those of the Bayou of Ibberville, pray your Excellency to take this subject into consideration, and use your endeavours to suppress the Evil.

No Subject seems to be so interesting to the minds of the inhabitants of all that part of the Country, which I have visited as that of the importation of brute Negroes from Africa. This permission would go farther with them, and better reconcile them to the Government of the United States, than any other privilege that could be extended to the Country. They appear only to claim it for a few years, and without it, they pretend that they must abandon the culture both of Sugar and Cotton. White laborers they say, cannot be had in this unhealthy climate, and they would in vain enjoy the blessings of a rich soil, and a valuable cultivation, even under the happy Government of America, deprived of this necessary resource in their Labours.¹ It is from this Subject that they are naturally carried to speak of the form of this local and

¹ On account of being immune to malaria the negro was regarded in the South as the best labor for opening up new low lands for cultivation. It is a common opinion to-day.

temporary Government. They wish to be allowed a Member upon the floor of Congress, to represent their true interests and situation. Sometimes they desire to enter immediately into all the benefits and advantages of a State Government, but they generally stop short at the difficulties of popular representation, in their present State of Political knowledge. The Expenses of public Buildings, Court houses, prisons &c the increase of taxes, the acrimony of elections, Courts of Justice, Juries, pleadings of Law and Lawyers, with the difficulties of Language, have made most of the Sensible reflecting people, fall into the opinion that a Government of Commandants (at any rate for the Country) is best adapted to their present situations. These Commandants must be just and enlightened men, who by degrees will introduce the American laws and usages, and gradually bring the people acquainted with representation and the true principles and advantages of the Federal Constitution. In the mean time, Schools of Learning will be established, the English Language encouraged, and the population of the Country keeping pace with its advancement in political Science, the inhabitants will in a few years be prepared to become in reality American Citizens, and capable of participating in the advantages which must inevitably flow from that enviable situation.

All the commandants complain of the difficulty and almost impossibility of finding persons to act as constables. The inhabitants are unwilling to leave their farms and neglect their crops for a service so disagreeable in its nature, and productive of so little profit.

They wish to know of your Excellency whether it is not possible to allow them an ordinancia as they call it, to perform this duty, who shall be allowed a regular Salary raised from a tax levied upon each inhabitant, or from

the public Treasury. They pretend that a Hundred Dollars a year for each of these Men would be a Sufficient gratification, and that it would result in many advantages and the general satisfaction of the people. They complain also of the want of prisins, or some place of confinement for Criminals and other defaulters. They speak loudly of the great expense attendant upon their situations as civil Magistrates, and the inconsiderable recompense received from the fees to which they are entitled by Law. They complain too of the ruin and falling down of their Churches, and are likely to be deserted by many of their Priests, who not being able to raise a Sufficiency for their maintenance among the people follow their pay with the Spanish Government. They regret this circumstance as it is taking away from the growing generation the principal restraint against immorality, and by leaving a doubt of the necessity and usefulness of the ministry of these people among the ignorant, you break in upon the fundamentals of their religion and open the door to a disbelief in the truth of virtue, and the advantages of good morals. They wish your Excellency to do every thing in your power, for the replacing their clergy, & encouraging the people to contribute to their maintenance and support.

They pray you also for your particular support in the exercise of the duties of their offices, that you will instruct them when wrong, encourage them when right, and assist them to contribute their mite for the promotion of the happiness of the people, and prosperity of the Country and the preservation of their Constitution which they have sworn to support and shall in future delight to obey.

I intended to have said something upon the Subjects of, the number of inhabitants, the strength of the Militia the productions of Soil, its qualities and the quantities of the different articles raised thereon, the importance of

cleaning up the Bayous of Ibberville,¹ the fork, and plaquemines and the advantages that would result therefrom, of the propriety of Soliciting Congress for vacant Lands for the purpose of forming a revenue for the establishment of a Seminary of learning and other Schools, but having already spun out this communication to a tedious length, I beg your Excellency to accept it as it is, and permit me to be with considerations of the highest possible respect and esteem

Your Excellency's

obdt. Hubl. St.

(Signed) John Watkins

New Orleans Feby 2nd 1804

His Excellency Wm. C. C. Claiborne

Governor General and Intendant of the Province of
Louisiana

To James Madison.

New Orleans March 1st 1804

Sir,

Having understood that there were several Parishes or Districts in Louisiana where former Commandants had declined acting under the American Government; that the inhabitants were becoming discontented and in some instances that disorders had ensued, I deem'd it adviseable immediately to appoint the necessary Civil officers, and by some verbal communications to endeavor to impress the minds of the Citizens favorably, towards the change of Government. My acquaintance with Characters being too limited to enable me *promptly* to take the

¹ This plan for connecting the Mississippi with the Gulf of Mexico by dredging the Ibberville river was a project of English engineers as early as 1764.

first measure, and my necessary presence in this City, preventing me from executing (in person) the other, I solicited Doctor John Watkins to proceed on a Mission to these Districts, and which he was pleased to undertake.

Doctor Watkins was formerly of Kentucky but having Married a Lady of this Province, has settled in this City, he is perfect Master of the French and Spanish languages, possesses good general information, and supports the character of a very honest man.

The enclosure No. 1 is *a copy* of Doctor Watkins's instructions; that No. 2 of his Credentials, and the enclosure No. 3 of the *Doctors Report*; to *this latter Document* I beg particularly to refer you. It states the wishes of the people on several Subjects highly interesting to Louisiana, and which will no doubt receive the attention of the General Government. With respect to the importation of Slaves from Africa which is mentioned in the report. I think it my duty to State, that on this Subject, the people generally appear to feel a lively interest, and the prevailing opinion expressed here is, that a prohibition would tend generally to the injury of the Province.

I believe also that the Solitude of the people on the coast for a delegate to congress (which Doctor Watkins mentions) is not greater, than that of the Citizens of New Orleans; perhaps in the formation of a Government for Louisiana, Congress may make provision for a delegate, and extend to him the privileges with those enjoyed by delegates from other Territories; Such a provision would certainly give general Satisfaction here; and I hope Congress may deem it advisable.

Accept Assurances of my Respectful Consideration.

(Signed) Wm. C. C. Claiborne

The Honble.

James Madison

Secretary of State

To James Madison.

New Orleans March 2nd 1804

Sir,

The Northern Mail arrived last evening but brought me no official Letters from the Seat of Government. Perfect tranquility continues to prevail here, but really the Burthens of the Temporary Government are peculiarly hard upon me; and are becoming more so every day.

I am compelled to exercise more authority than I had contemplated. I fear my decrees or rather ordinances will present a Novel appearance at the seat of Government, and I can assure you, I venture on this Species of Legislation with reluctance and only in cases where the interests of the Society are involved, and the wishes of the people invite me to act. On my first arrival in this City, the solicitude of the inhabitants for some Tribunals of Justice appeared to be universal, and the General complaint was, that no debts could be recovered. I immediately organized an inferior Tribunal, and all parties seemed pleased with the institution. Debtors however have recently complained of the zeal and promptitude with which the justices discharge their duties, and beg that some delay in the hearing and determining causes may be perscribed, I have endeavoured to accomodate Debtors on this point, in prescribing certain rules of proceedings for the Court which will produce in part the delay solicited.

From the great variety of Characters which are in New Orleans; from several attempts which have been *made* to fire the City, and from several robberies which have ocured— I have been induced to direct a Strict watch at night, for the purpose of Securing the City from fire, and the designs of evil disposed persons.

I am Sir very Respectfully your most obedient Sert.
(Signed) Wm. C. C. Claiborne

The Honble.
James Madison
Sect. of State

Ordinance regulating the City Police.

An Ordinance.

By William C. C. Claiborne Governor of the Mississippi Territory, exercising the powers of Governor General and Intendant of the Province of Louisiana

Whereas I have been requested by a Committee of respectable Citizens, in the name of the good people of New Orleans, to make some provision for the security of this City, by night against fire, and the designs of evil disposed persons, and believing that while on this occasion, it devolves upon the chief Magistrate to prescribe, it is the sacred duty of every worthy inhabitant, faithful to Co-operate in all measures having for their object the general Welfare; I do therefore, ordain and make known the following regulations and do require and enjoin a strict observance thereof.

- 1st. A Watch shall be organized to consist of Free white Male inhabitants of the City between, seventeen and fifty years of age who have resided here more than thirty days excepting always people in authority, regular, practising Physicians and Apothecaries Clergy-men, Schoolmasters, Officers and Soldiers of the regular Troops, Sea-faring people, and such other persons as the Commissaries of the quarters may for good and Special reasons judge to be entitled to an exemption.
- 2nd. The Commissaries of the Quarters shall enroll all the inhabitants of their respective Quarters who are

by the proceeding regulations liable to serve on the watch, and shall afterwards Subdivide them into a convenient number of Sections, and nominate some discreet person, to be approved of by the Governor to act as chief of each Section, shall be Subject, and whose directions they shall follow.

3rd. A Watch consisting of not less than twenty four persons, shall patrol the Streets every night, to repress disorders, and to apprehend people who may be found transgressing the regulations of the Police. The Commissaries of the Quarters will regulate among themselves the proportion which each quarter shall furnish and there shall be at least two chiefs of Sections on duty every night, to whose authority the individual composing the watch shall be subject. The Commissaries of the quarters and the chiefs of sections will adopt methods to secure a regular rotation of duty.

4th. Persons neglecting or refusing to serve on the Watch having been regularly warned by a chief of a Section, at least six hours previous to the time of Service, shall be liable to a fine not exceeding ten dollars for each offence, to be recovered before a magistrate, unless the delinquent shall offer a substantial cause for such refusal or neglect, in which case he may, at the discretion of the Magistrate be released from the whole or any part of the fine aforesaid.

5th. The Watch will assemble every evening at eight oClock at the Principal, where the chiefs of Sections or Captains of the Watch will receive the countersign from the officer Commanding the Mainguard: they will begin to Patrole at nine oClock separately or united as may be thought best, and continue until reveille or Day break: the Watch shall have power to apprehend and commit to Prison, to be dealt with ac-

according to the Police of the City, all slaves who shall be found in the Streets after nine oClock without passes from their Masters, and all persons that may be found abroad at unseasonable hours, who do not give good account of themselves, to enter Gambling houses, tipling Houses, and Houses of ill fame, where people may be assembled at night, to compel such people if thought necessary to disperse and go home: to apprehend Sailors and Soldiers, who may be found absent from their Ships or quarters after nine oClock, and in general to repress disorders and maintain the quiet and Security of the City.

6th. A Justice of the Pease will repair at nine oClock every morning to the Principal, to make examination of the person who may have been committed to Prison on the preceeding night: one of the chiefs of Sections or Captains of the Watch will attend the Magistrate to answer such questions or give such explanations as may be necessary; Slaves who may have been apprehended violating the regulations of the Police, are to be punished as such regulations may direct. Other persons against whom no other charge appears than being found abroad at unseasonable hours, are to be discharged; and those who have been apprehended for committing crimes or breaches of the peace are to be proceeded against according to Law. The Justices will make arrangements among themselves to do this duty in rotation.

7th. Should the Watch or any individual thereof be guilty of an outrage upon the persons or property of the good inhabitants of the City, or insult them, or without just cause; and contrary to the true intent and meaning of this ordinance, wantonly or maliciously apprehend and imprison any person, each and every of them so offending shall be liable to punishment by fine not exceeding thirty dollars, the matter

to be enquired into, heard and summarily determined on the succeeding morning by the attending Justice of the peace; nevertheless the party complaining, is at liberty in cases of serious injury, to have recourse to the ordinary Tribunals for justice.

8th. All fines arising under this ordinance shall be paid into the Treasury of the City, and appropriated for the uses thereof under the direction of the Municipality.

Given under my hand and the seal of the administration, at the City of New Orleans, the third day of March, 1804 and in the 28th year of the independence of the United States of America.

(S. L.)

(Signed) Wm. C. C. Claiborne

To Gov. Folch.

New Orleans March 7th 1804

Sir,

The President of the United States with a view to preserve a good understanding with the Chactaw Indians, has established a Factory or trading house at Fort St. Stephens on the Tombigby River. *The goods* transmitted to this Factory and the Peltry &c exported therefrom are the property of the United States, and I persuade myself that on their passage by the way of Mobile no duties will be exacted, or interruption offered by the Authorities of Spain.¹

I beg leave to remind your Excellency, that by a Treaty Between the United States and Spain, they are mutually bound to restrain the Indians within their respective limits from committing hostilities, against the adjacent Settlements of either power: The prosperity

¹ The shipment of goods to and from this factory was the cause of much friction between the United States and Spain.

therefore of the Factory at Fort St. Stephens is interesting to both our nations, Since the influence which the American Government may acquire in the Chactaw Councils, will be used not only to secure peace and safety to our own frontiers, but to the dominions of his Catholic Majesty.

Accept assurances of my great respect and high consideration.

(Signed) Wm. C. C. Claiborne
His Excellency Governor Folch

To Joseph Chambers.

New Orleans March 8th 1804

Dear Sir,

In accepting the appointment of Register you did right, and I persuade myself, your conduct in that office will be Such, as to recommend you still further to the Patronage of the President.

The Factory will no doubt continue to receive your particular attention, and I doubt not, but that institution will flourish under your judicious management. I would advise, that the Peltry &c &c be immediately prepared for transportation by the way of the Mobile, or this City as you may esteem most expedient. On the subject of the duties you alluded to, I have addresses a letter to Governor Folch (who is now in the City) and his answer I expect will remove all difficulties upon this point. When his answer is received which I hourly look for, you shall be advised thereof. Peltry at this time commands a high Price to the Northward, and I advise therefore a Shipment immediately upon your being informed by me, of the determination of the Spanish Authorities with respect to the duties.

The Archives of Louisiana have not all been sur-

rendered to the American Commissioners, but a complete delivery is expected in a few days, the records you desire are not in our possession. When they are delivered, measures will be taken to procure copies for your use. I understand that the warrants of Survey under the Spanish Authority were not committed to record. *Grants* were, but very few have been issued for Land in the Tombigby Settlement. Every thing is tranquil in this City, and my administration is as prosperous as under existing circumstances, I could have expected.

I do not know how long I am to continue in this City nor am yet informed as to my future destination. I learn that the office of Governor of Lower Louisiana is much sought for, and that both here, and elsewhere there are intrigues afloat to injure me with the Executive. What success may attend my enemies I know not, but as our old friend Macon used to say the cause of truth will in the end prevail, and hence I am firmly of opinion, that all good men will ultimately give me credit as a Public Character for the integrity of my intentions and my great zeal for the interest and happiness of United America—I claim nothing further.

I Sincerely wish you well

Your Friend

(Signed) Wm. C. C. Claiborne

Joseph Chambers Esqr.

Register of the Land Office, Fort Stoddart

To James Madison.

New Orleans March 9th 1804

Sir,

The former Spanish Secretary for this Province Don Andre waited upon me this morning, and said that two Vessels were now taking in the Military Stores of his

Catholic Majesty, and that between the 15th and 20th instants the Troops, arms &c of Spain will all be embarked for Pensacola.

In a Letter also received on this morning from The French Commissioner, we are informed that the Archives &c will all be delivered in a few days, and he assures us of his great desire to conclude the Business of the Commission.

The public order of this City is still preserved and there is every prospect of continuing Tranquility. The Merchants of this City manifest great impatience for the arrival of the Revenue System for Louisiana; they as well as the Planters complain heavily of the duties on exports. And the want of Registers for Vessels now in this Port Claimed by Citizens of Louisiana is spoken of as a serious injury to the Mercantile Interests.

I have omitted no occasion to impress upon the Citizens the absolute necessity there was in well considering the Laws for the Government of Louisiana, and to assure them, that a regard for their welfare and the great solicitude of the Government that their acts should approach as near perfection as possible had alone occasioned the delay. With reflecting Men, no blame attaches to the Government, but where interest is connected with a measure it is natural to Man to be impatient for its completion I find however that the best way of keeping the Citizens reconciled to the present temporary Government, is to keep their minds employed at home, and to manifest on my part, a Sincere disposition to amend the general police, and to make such legislative provisions, as their local interests may require; hence I have of late passed several local ordinances, copies of which shall be transmitted to you.

The Citizens of New Orleans have expressed uncommon Solicitude for the Bank, and a Petition to me on the Subject, has been presented, Signed I believe by almost

every respectable Man in the City and its Vicinity. I am inclined to indulge the People on this occasion. The Bank would be so pleasing and so much engross the Public attention, that if Congress should permit the Province to remain in its present Situation for months, it seems to me, the Citizens would not be disposed to complain. I at first had some doubts as to my power to grant Charters; but find that under the former Government, the Governor had authority "to pass all ordinances for the improvement of the Province." A Bank might tend to the Commercial and agricultural interest, and consequently to the improvement of the Province.

I must confess Sir, I feel some inquietude in sanctioning the Bank establishment, but I am pressed on the occasion by the applications of the People, and under existing circumstances, it seems to me my duty requires that every thing in my power should be done to conciliate general confidence. In the exercise of my discretionary powers, I have great cause to fear that through want of Judgment, I shall commit many errors, but believe me Sir, I shall do nothing, but with honest intentions, and a Sincere desire to promote the interest of my Country.

Accept assurances of Respect and Esteem.

(Signed) Wm. C. C. Claiborne

The Honble.
James Madison
Secty. of State

To James Madison.

New Orleans March 10th 1804

Sir,

I have been informed by Mr. Clark our former Consul at this Port that he conceives himself no longer vested

with authority, to expend the sum appropriated by Government for the support and comfort of American Seamen and Boatmen who may fall sick or become disabled in this City. I presume Mr. Clark is correct in his opinion and therefore Sir, it is, that I take the liberty to solicit that this humane duty may be recommitted to Mr. Clarke or vested in some other person. There cannot any where exist a greater necessity for a Provision of the kind alluded to, than in this port. During the Summer months the Health of the inhabitants is insecure, and the climate proves particularly unsafe to strangers. New Orleans is already a great commercial City, and thousands of Seamen and Boatmen from the United States visit it annually. When they fall sick or become disabled, they Frequently experience an accumulation of distress, and many have heretofore died for want of the Common Comforts of a Sick Bed. There is in this City one Charity Hospital Supported entirely by private Bounty but its funds are too limited to render the institution extremely useful. Until therefore the Government of Louisiana is organized, and adequate Territorial provisions are made for *unfortunate Strangers*, I trust Congress will retain them under their humane protection. I have already observed in this City (*among Strangers*) much private misfortune; and objects of Distress often present themselves at my door.

Adequate relief, can (at present) alone be afforded them by the General Government, and I pray that the provisions heretofore made may be continued.

Accept assurances of my Great Respect and high consideration.

(Signed) Wm. C. C. Claiborne

The Honble.
James Madison
Secty. of State

To James Madison.

New Orleans March 10th 1804

Sir,

In a Paper which was received by the last Mail from the Seat of Government, it was stated that a Law had passed the Senate prohibiting the foreign importation of Slaves into this Province. This intelligence has occasioned great agitation in this City and in the adjacent Settlements.

The African Trade has hitherto been lucrative, and the farmers are desirous of increasing the number of their Slaves. The prohibiting the incorporation of Negroes therefore, is viewed here as a serious blow at the Commercial and agricultural interest of the Province. The admission of Negroes into the state of South Carolina has served to increase the discontent here. The Citizens generally can not be made to understand the present power of the State Authorities with regard to the *importation of persons*:- they suppose that Congress must connive at the importation into South Carolina, and many will be made to believe, that it is done with a view to make South Carolina the Sole importer for Louisiana. An adventurer by the name of Tupper, a native of Boston, (and if report be true of little respectability) who arrived in this City about three weeks ago from France, taking advantage of the agitation of the Public mind has proposed a meeting of the people on Monday next, in order to State their grievances to Congress and to elect an agent to be the bearer of this Memorial. This Mr. Tupper (it is said) is solicitous to be the agent, and therefore he invites the meeting. I have however taken measures to impress the better part of Society with an opinion, that at this particular period, the proceeding was wrong and I believe but few (if any) respectable Citizens will attend the meeting. In the present unsettled

State of things public assemblages of the people might lead to riot and disorder. The Public mind here may easily be inflamed, and when the inhabitants are put in motion it would be difficult to restrain them from outrage. The success which this man Tupper has met with is a strong proof of the mischief a designing unprincipled Man may do in Louisiana. The Prohibition of the African Trade, the Continuation of the export duties, the want of Registers for Vessels and the delay in extending to the Louisianans like privileges with those enjoyed by Citizens of the United States, have been the themes of discussion with this adventurer. I hope however his designs will be counteracted, and that the quiet of the City will remain uninterrupted. I must confess Sir, I apprehend more trouble from some imprudent, who are here, than from any of the Natives.

My former Congressional acquaintance Edward Livingston, is now in New Orleans, and has acquired considerable influence among the inhabitants, he manifests the best disposition towards the Government, and a desire to render my administration pleasing and the present state of things acceptable to the people.

Accept assurances of my great Respect and Esteem.

(Signed) Wm. C. C. Claiborne

The Honble.

James Madison

Secty. of State

From the Town of Washington to Gov. Claiborne.

To His Excellency William C. C. Claiborne Governor of the Mississippi Territory exercising Powers of Governor General and intendant of the Province of Louisiana.

The exertions of a Public Officer to confer happiness on the Community by dispensing equal and impartial Justice, and preserving unimpaired the constitutional

liberties of the people deserve the return of grateful acknowledgments. The Citizens of Washington and its vicinity therefore pray your Excellency to accept their undivided approbation of the firm and dignified measures of your late administration in this Territory. If integrity of conduct united to an enlightened mind filled with benevolence and Universal Philanthropy are worthy of Eulogium, all that these virtues merit we offer you as a just Tribute.

We congratulate your Excellency on the unanimity and harmony with which the American Government is received by our new fellow Citizens of Louisiana; this great and interesting event cannot fail to exhibit "the fairest page in the volume of faithful history," and the high characters who so ably managed the negotiation from its commencement to the ever memorable surrender on the 20th day of December last, will share the warmest affections of the American People.

On this Auspicious occasion we reflect with honest pride and Exultation, that in discharging the highest trusts and confidences reposed in your Excellency by the President of the United States, nothing has appeared repugnant to the principles of inflexible justice mingled with humanity. We earnestly desire the return of your Excellency to the Mississippi Territory: We anticipate no change by which we can gain either a better friend or a more Patriotic Governor, but should the general Government require your aid in another quarter, we tender you this pledge of undissembled Friendship, and a sincere wish that you may ever continue to merit and obtain the confidence of your Country.

Town of Washington Feby 27th 1804

Answer—

To the Citizens of the Town of Washington and its Vicinity
Gentlemen,

Your Friendly address of the 27th Ultimo has excited in my breast emotions of gratitude and pleasure. The highest reward of Public Services is a consciousness of having acted with honest intentions; the next in order is the Public Suffrage in their favour; of the former no circumstance can deprive me and of the latter your address is a most pleasing testimonial the more grateful, because it comes from friends whose good opinion I highly value from neighbours to whom every part of my conduct has been exposed, and from Citizens who know their rights and would disdain to flatter the man who had betrayed them.

Your congratulations on that great and interesting event which has given to our country an extension of Empire and to ourselves "new fellow Citizens" I receive with Satisfaction and reciprocate with Sincerity. If my agency has in the least, promoted *its execution*, I shall esteem it the most fortunate occurrence of my life. The Welfare and happiness of our Brethren of Louisiana are objects dear to my heart, and in the discharge of the high trust which the President of the United States has temporarily committed to me, it shall be my greatest care to keep in view "the principles of inflexible justice mingled with humanity."

Accept Gentlemen my warmest thanks for your kind wishes, with respect to my future destination; I am uninformed whether it may call me, nor do I know that a change in the executive of your Territory is contemplated but permit me to say, that in whatever situation I may be placed, I shall retain a grateful sense of your favour, the

best dispositions to serve you, and an anxious Solicitude for your prosperity.

(Signed) Wm. C. C. Claiborne
New Orleans 8th March 1804

Ordinance Providing for the Establishment of a Bank.

An Ordinance

By William C. C. Claiborne Governor of the Mississippi Territory exercising the powers of Governor General and intendant of the Province of Louisiana.

Whereas, a number of Merchants, and others have associated for the purpose of establishing a Bank of Discount, Deposit and Exchange, in the City of New Orleans, and have applied to me to sanction the same by an ordinance, to the end that the Stock-holders in the Said Bank may not individually be liable for any contracts made by the Said Bank, and that the Said Company may sue, and be sued in the aggregate capacity for all debts which may be due to, or contracted by them.

And whereas, it appears to me that the said institution will tend greatly to the safety and ease of transacting of mercantile business, will extend the Commerce improve the agriculture and promote the prosperity of this Province. Therefore be it ordained, that a Bank may be established in the City of New Orleans, the Capital Stock whereof shall not at present exceed six hundred thousand dollars divided into six thousand shares of one hundred dollars each, to be paid one fifth at the time of subscribing either in money or notes on demand at the discretion of the Commissioners and the remaining four fifths by such instalments as the Directors to be chosen in the manner here in after specified shall appoint, and that subscriptions shall be opened for the said shares on the six-

teenth day of March instant under the Superintendence¹ of Evan Jones, John F. Mericult, Paul Lanuse, William Garland, Edward Livingston, Peter Sauvé, Joseph Tri-cou, John Lanthors, William Donaldson, Nicholas F. Girrod, John McDonagh Junr., Jerome La Chiapella, Benjamin Morgan, Hone Browse Trist, Michael Fortier, and Beverly Chew, which said Subscription shall continue open until the whole of the said Capital Stock shall be subscribed.

And be it further ordained, that all those, who shall become subscribers to the said Bank their Successors and assigns shall be and they are hereby created a body corporate and politic by the name and Style of the Louisiana Bank, and by that name shall be made Capable at all times hereafter to purchase, receive, possess and enjoy all kinds of Estate whatsoever whether real or personal to an amount not exceeding five hundred thousand Dollars over and above their Capital Stock, and the same to grant, sell, demise, and dispose of, and to sue and be sued, plead and be impleaded in Courts of record and elsewhere, and also to have and use a Common Seal and the same to break, alter and renew at their pleasure.

And be it further ordained, that for the well ordering the affairs of the said Corporation there shall be fifteen Directors chosen from among the Stock-holders on the first monday of January in every year who shall enter into office on the monday then next following, and that for the period previous to the second monday in January in the year one thousand eight hundred and five. Directors for the said Bank shall be chosen in the manner following that is to say as soon as the sum of three hundred thousand Dollars is Subscribed, the Commissioners herein before named shall appoint a time and place within the said City for proceeding to the Election of fifteen Directors and shall give notice thereof in at least one of

¹ The leading professional and business men of New Orleans.

the Public Newspapers printed in the Said City and it shall be lawful for such Election to be then and there held by the Subscribing Stockholders or their Proxies by Ballot under the said Commissioners or a majority of them, and the persons then and there chosen shall be the first Directors and shall be capable of serving by virtue of such choice untill the second Monday in January next, and that the said Directors shall at their first meeting elect by Ballot one of their number to be President, and in like manner all directors to be chosen hereafter shall on the second Monday of January in every year elect one of their number for their President, who shall continue in office for one year and in all cases of Vacancy in the office of Director either by removal from the Jurisdiction of the City Death or resignation before the first Monday of January in every year the same may be filled up by the Directors. And the said Directors for the time being shall have power to appoint all officers and servants under them and allow them and allow them and to the President of the Said Bank such compensation for their services as they may deem reasonable, and shall make rules and regulations for the transaction of Business and the good Government of the affairs of the said Corporation. And shall twice in every year declare and pay a dividend of the Profits or such proportions thereof arising on the said Stock as they may deem reasonable.

And be it further ordained that the number of Votes to which each Stock holder shall be entitled shall be according to the number of shares he shall hold in the proportion following that is to say-. For one share and not more than four, one Vote, for five shares and not more than nine, two votes, for ten Shares and not more than fourteen, four Votes, for fifteen Shares and not more than nineteen, Six votes, for twenty Shares, and not more than twenty four, eight votes, for twenty five Shares and not more than twenty nine, ten votes, for thirty and not

more than thirty four, twelve Votes, for thirty five and not more than thirty nine fourteen Votes, for forty and not more than forty four, Sixteen Votes, for forty five and not more than forty nine eighteen Votes, for fifty and not more than fifty four, twenty, for fifty five and not more than fifty nine twenty two Votes, for Sixty and not more than sixty four, twenty four Votes, for Sixty five and not more than Sixty nine twenty Six Votes, for Seventy and not more than Seventy four twenty eight Votes, for Seventy five and upwards thirty votes, and after the first Election no share or Shares shall confer a right of Suffrage which shall not have been held three Calender months previous to the day of Election, and that in all Elections Votes may be given either in person or by proxy according to such form as the Directors shall establish.

And be it further ordained that if there should be a failure in the payment of any part of any sum subscribed for any share or shares by any person Copartnership or Body Politic the party failing shall loose and forfeit all prior payments by him or them made on such share or shares to the use of the said Bank.

And be it further ordained, that for the Transaction of all Business for the Said Coporation requiring an act of the Direction, except for the making of Discounts, seven Directors together with the President or in case of his Sickness or absence some one Director appointed by him shall be a quorum, and that for the making of Discounts, four Directors and the President, or some one appointed by him shall be a quorum.

And be it further ordained, that in case it should at any time happen that an Election of Directors should not be made upon any day when pursuant to this ordinance it ought to have been made, the said Corporation shall not for that cause be deemed to be dissolved, but it shall be lawful on any other day to hold and make an Election

of Directors in such manner as shall have been regulated by the laws and ordinances of the said Corporation.

And be it further ordained, that the Stock of the said Corporation shall be transferable according to such rules as shall be established by the Directors, and that the Bills and notes which may be issued by the Said Corporation signed by the President and Counter signed by the Cashier promising the payment of money to any person, his or her order or to bearer shall be binding and obligatory upon the Corporation though not under Seal and shall and shall be assignable and negotiable, that is to say, those which are payable to order shall be assignable and negotiable by endorsement, and those which are payable to bearer shall be negotiable and assignable by delivery only.

And be it further ordained, that whenever the Directors shall deem it expedient they may increase the Capital Stock of the said Corporation to two Millions of Dollars and may Subscribe or cause the same or any part thereof to be subscribed in such manner and on such terms as to them may seem expedient which increase of Capital so to be subscribed shall constitute part of the Capital Stock of the said Corporation and shall be transferable in like manner and be liable to the same regulations which are prescribed for the shares of the said Capital Stock.

And be it further ordained, that the said Corporation shall not directly or indirectly deal or Trade in any thing except promissory Notes, Bonds, Mortgages, Bills of Exchange, Gold or Silver Bullion, or in the Sale of goods, lands, stock in the public funds, or effects pledged for money lent or on the Produce of such Lands.

And be it further ordained that this ordinance shall continue in force for a period not exceeding sixteen years,

from the date hereof, unless the same shall be renewed by the proper constituted Authorities.

Given under my hand and the seal of the administration, at the City of New Orleans the twelfth day of March eighteen hundred and four and in the twenty eighth year of the Independence of the United States of America.

By the Governor

[S. L.] (Signed) Wm. C. C. Claiborne
Jos. Briggs P. Sect.

Ordinance Regulating Attorneys.

An Ordinance

By William C. C. Claiborne Governor of the Mississippi Territory exercising the Powers of Governor General and Intendant of the Province of Louisiana.

Whereas much injury to suitors and confusion in Judicial proceedings may ensue, should the Duties of Attornies and Counsellors at Law, be exercised by persons unqualified for so important a Trust. Therefore be it enacted that hereafter no person shall be permitted to Practise as an Attorney or Counsellor at Law in any Court now established in this City, until such person shall have been duly licensed to that effect by the Governor under his hand and the Seal of the Administration and shall in open Court take the following oath. I A B do solemnly Swear (or affirm) that I will faithfully and honestly demean myself as an Attorney and Counsellor at Law, to the best of my skill and judgment- So help me God - Provided Nevertheless that nothing herein contained shall be construed to prevent suitors from managing and pleading their own causes in person.

Given under my hand and the Seal of the Administration at the City of New Orleans the thirtieth day of

March eighteen hundred and four and in the twenty eighth year of the Independence of the United States of America.

By the Governor

[S. L.]

(Signed)

Wm. C. C. Claiborne

Jos. Briggs P. Sect.

Pilot Regulations

An Ordinance

By William C. C. Claiborne Governor of the Mississippi Territory exercising the Powers of Governor General and Intendant of the Province of Louisiana.

Whereas it is essential to the safety and convenience of the Commerce of the Port of New Orleans, that some System should be adopted for the appointment of Suitable Persons as Pilots for the mouth of the River Mississippi and for the rates of Pilotage for the same, I have thought proper to make and Publish the following regulations.

- 1st. No Person shall act as a Public Pilot for the Port of New Orleans, or be authorised to Pilot Vessels in and out of the mouth of the Mississippi unless he shall have obtained a License to that effect from the Governor.
- 2nd. It shall be the duty of the Pilots licensed as aforesaid, to provide for this Service one boat with a Deck or half Deck, and rigged and equipped in such manner as to admit of cruising off the Land, as the occasion may require, and also each of the said Pilots shall provide one or more suitable boats to be stationed at the Balize for the Dispatch of Vessels.
- 3rd. The Pilots shall at their joint expense stake out or otherwise designate by proper marks the channel ac-

cross the Bar at the mouth of the river, and shall from time to time replace the stakes or marks, as the same may be removed or destroyed.

4th. Each Pilot shall receive two Dollars per foot for every foot of Water which the Vessel by him Piloted may draw when inward bound, and one Dollar and fifty cents when outward bound.

5th. All Vessels refusing to receive a Pilot shall pay half of the Pilotage with which they would otherwise be charged, to the Pilot who shall first offer his services.

6th.

If a Vessel after taking a Pilot on Board, shall be detained by the owner, consignee, or officer commanding the same, the Pilot shall receive at the rate of two Dollars for each and every day of Such detention.

7th. When a Pilot shall be carried to sea, contrary to his wishes, from whatever cause the same may happen, he shall receive like wages, accomodations, and provisions, with the chief mate of the Vessel, his wages to continue till his return to the Balize; and the Pilot shall be further allowed such incidental expences as may be necessary to his return, and the Master of the Vessel, owner, and consignee thereof or either of them shall be held responsible for the claims of the Pilot.

8th. Each and every Pilot who shall have been guilty of Misconduct or Neglect of duty shall be fined in a sum not exceeding two hundred dollars.

9th. All claims and complaints arising under this ordinance, shall be made known, to the Collector of the Port, who (should the same appear to him of Sufficient importance) shall refer the case for decision to one of the justices or conservators of the Peace in and for the City who is hereby declared to have cognizance thereof.

Given under my hand, and the Seal of the administration at the City of New Orleans the fifteenth day of March 1804 and in the 28th year of the Independence of the United States of America.

(Signed) Wm. C. C. Claiborne

By the Governor
Joseph Briggs
P. Sect.

To Laussat.

New Orleans March 13th 1804

Sir,

I acknowledge the Receipt of your favour of this Morning, and have the Honour to assure you that every thing shall be done with the view of rendering complete Justice to the French Sailor Peter Louis Francais mentioned in your Letter.

I have the Honour to be with the highest considerations of Respect Your obdt. Hbl. St.

(Signed) Wm. C. C. Claiborne

Mr. Laussat
Commissioner of France

To Delatour.

New Orleans March 15th 1804

Sir,

I am at this moment engaged in preparing regulations upon the Subject of Taverns, and various other objects of Police, which will be transmitted to you in the course of a few days.

I have the Honour to be with due Respect and consideration

your obd. Hbl. St.

(Signed) Wm. C. C. Claiborne

Mr. Delatour

Commandant of the Coast below the River.

From Gov. Folch to Gov. Claiborne.

New Orleans 15th March 1804

Sir,

In order to answer your Letter of 7th instant with due propriety, and according to the Spirit of the royal orders prevailing on the Subject, I consulted the Intendant Mr. John V. Morales who has given me his opinion in the following terms.

My opinion Sir, respecting the particulars "related in Governor Claibornes Letter to you is, "that we cannot deviate from the order, given to us by his Catholic Majesty which I have transcribed to you in my last of the 8th Instant, for the same reason, when his Excellency General Wilkinson requested me to allow the pass of two American Vessels, one in the Spring and the other in the fall, which I did not grant, and his Majesty approved my Conduct, and caused the Treaty to be carried into Execution."

These circumstances will convince your Excellency that it is not in my power to comply with your request; however, I will represent the case to the King, and inform you of the result as soon as possible.

Accept assurances of my Respect and Consideration.

(Signed) V. Foulch

His Excellency Governor Claiborne

To Henry Dearborn.

New Orleans March 15th 1804

Sir,

In consequence of a Letter I received from Mr. Joseph Chambers, the United States Factor at Fort St. Stephens informing me, that he had a quantity of Peltry &c ready for Exportation, and desiring that I would make arrangements with the Spanish Authorities to secure to articles to and from the Factory, a passage free from interruption or duties, I addressed to the Governor of West Florida (who is now in this City) a Letter of which the enclosed No. 1 is a Copy, and on this day, I received an answer of which number 2 is a Copy.

From these documents you will discover that the Interest of the Factory is in a measure subjected to the caprice of a Spanish Officer, but I trust, this difficulty will soon be removed, and that the United States will speedily occupy all the Country East of the Mississippi as far as the River Perdido: *to* that River we have an undoubted *right* claim under the Treaty of the 30th of April and I trust this claim will be maintained.

Dr. Dinsmore writes me, that the Chactaws continue well disposed and that the Arts of Civilization are progressing among them. The Red-Bird laid out the \$200 which were given him, for the loss of his relation, in implements of husbandry and the Family are perfectly satisfied.

I understand that several Tribes of Indians West of the Mississippi propose holding a grand Council at the Owzark Town on the first day of June next. I shall send

to this Council a Suitable talk. The Spanish Troops will Embark for Pensacola in three or four days.

With Esteem and Respect

Your Hbl. St.

(Signed) Wm. C. C. Claiborne

The Honble.

Henry Dearborne

Sect. of War

To James Madison.

New Orleans 15th March 1804

Sir,

Two Men of the names of Sutton and May were lately convicted in the Mississippi Territory of Piracy and Felony, and have since been Executed. These Men were two of Masons Party, who committed such frequent outrages on the Mississippi River, and on the Wilderness road. This Banditti had become a terror to all persons who navigated the Mississippi or travelled the Wilderness road, and a reward of four hundred dollars for apprehending them was offered by the Secretary of War, and five hundred dollars by myself, in my character as Governor of the Territory— Sutton and May were arrested previous to my leaving Natchez, but no part of the reward, has I believe been claimed. The Jail in which these felons, were confined being very insecure, I directed (with a view to their safe keeping) a guard of Militia on constant duty; their trial was necessarily delayed for some months but they were lately convicted of, and executed for, offences committed without the limits of the Territory against the Laws of the. I therefore think that the expense attending their confinement and trial should be paid by the United States, and I pray you Sir

to ascertain upon this Subject the opinion of accounting officers of the Treasury.

This Expense will indeed be a trifling charge against the United States, but if it should devolve upon the Territory, I fear it will prove embarrassing to her Treasury, against which there are already more claims, than its present resources can meet.

Accept assurances of my respect and esteem.

(Signed) Wm. C. C. Claiborne

Honble.

James Madison

Sect. of State

To James Madison.

New Orleans March 16th 1804

Sir,

I enclose you a Copy of three ordinances which I lately passed, one of which contains a Charter for a Bank. The Establishment of a Bank in this City was much wished for by the inhabitants, and I believe will prove of great utility: but I must confess I should not have ventured upon the measure from these considerations alone. I discovered that efforts were making to render the people discontented with the present state of things, and to impress them with an opinion that their Interests were not attended to by congress, and that Louisiana had gained nothing by the late change.

I thought these efforts were likely to prove Successful and that the best means of speedily allaying discontent, was the Passing on my part some popular ordinances. The project of a Bank presented itself, and the measure received my sanction from the best of motives, the subscriptions were opened on this day and I am told near

one hundred thousand Dollars was Subscribed in a few hours. The Establishment is a novelty here, and very pleasing to the people. I was unwilling to do anything which would require permanency and thus commit the Government. In granting a Charter therefore, I yielded reluctantly to existing circumstances— but I trust the measure will be viewed as perfectly justifiable, on the ground of Political expediency, and that my conduct in this particular will meet the Presidents approbation.

The ordinance in relation to Pilots, I passed on the representation of a Collector of the Port (Mr. Trist) in whose prudence and judgment I have great confidence, and there is no doubt but this measure will give additional security to the commerce of New Orleans. A Lighthouse is much wanting at the Balize, it would tend greatly to the safety of Vessels, and I understand a very eligible situation could be selected. If Congress should make an appropriation for this object, I believe a suitable Building might be erected in two or three months.

(Signed) Wm. C. C. Claiborne

Honble.

James Madison
Secty. of State

To James Madison.

New Orleans March 16th 1804

Sir,

The Meeting of which I advised you in my Letter of the 10th Instant has taken place. The Assembly was more numerous than I had expected, and was composed principally of respectable Merchants of New Orleans, and Farmers in its Vicinity, but few Americans were present.

The meeting was held at the House of a private Gen-

tleman and conducted with some Decorum. Through the polite attention of a Gentleman who attended the assembly at my request, I am enabled to give you the following particulars.

Mr. Boré (the Mayor of the City) presided and having called to order he submitted to the meeting propositions to the following effect. "That this Assembly take the necessary measures to send on a Commissioner or Commissioners to the Government of the United States to represent the grievances of Louisiana, but especially the desire of the inhabitants for the continuation of the Slave trade, and their great Solitude for Speedy relief from their present commercial embarrassments." The President of the meeting then requested, that any person having other propositions to offer would submit them. A Mr. Detrion a Sugar Planter, then took from his Pocket a paper, and read to the Assembly his sentiments, after Eulogizing the Government of the United States, and expressing his opinion of the virtues and Talents of the President he proposed "that the assembly Authorize the Commandants of the different Districts to call the inhabitants thereof together for the purpose of electing Deputies to convene in this City with all possible dispatch (the number of Delegates from each District and from the City was specified). These Deputies to have authority to Elect two of their Body as Commissioners to Congress, and also a permanent Committee, whose duty should be to give instructions from time to time to the Commissioners, and more particularly upon the Subjects of the Slave trade, and the present Commercial embarrassments; and that the Governor of Louisiana, be requested to use his influence in Support of these measures.

Mr. Detrions propositions were apparently well received and the approbation of the company expressed, by a very general clapping of hands. Mr. Tupper (the adventurer) who had invited the meeting, next rose and ob-

served that "there seemed but little difference in opinion; he had thought one Commissioner to Congress sufficient, but if two was preferred he had no objection he then expatiated on the Burthens and oppressive grievances under which the people of Louisiana laboured, the unfortunate consequences which might attend the suppression of the Slave Trade, and added, that Congress was too neglectful of the important interests of Louisiana and uninformed thereof, and that the people should take some measures to give the Government information, and concluded an inflammatory and foolish Speech by observing that he should vote for Detrions propositions."

It may be proper here to mention that while this Mr. Tupper was speaking much discontent was manifested, it was asked by some French Gentlemen, "Who is this Man? Who has authorized him to speak about our Interests? Let us put him down." But to prevent tumult he was permitted to proceed without further interruption. Doctor John Watkins, who had attended the meeting with a view of using his best efforts to give a proper direction to their deliberations next claimed attention, and delivered (in the opinion of several Gentlemen present) a very ingenious, prudent and judicious Speech. The Doctor in his Exordium "reminded the meeting of his situation and standing in this Society, and declared his interest was so intimately connected with the happiness and Welfare of Louisiana, that he was certain, no one could believe that the observations he should make, proceeded from other considerations than the Public good. He then took a general view of the former and present situation of the Province, suggested a doubt whether this meeting was not in itself highly improper and stated the necessity there was for temperance in Discussion, and prudence in decision and deprecated the consequences which might arise from a Contrary conduct.

Mr. Detrions propositions were much disapproved of

by the Doctor, he pointed out their disorganizing tendency, enlarged on the impropriety of inviting general meetings of the people, the public agitation which such a measure might produce, and the scenes of tumult which would arise. He then explained to the meeting some of the Principles of our Government, showed the necessity there was for deliberation in the framing of Laws, and the permanent good which might flow from measures, not the productions of the moment but of sound reason and mature reflection. Upon the Slave-trade, the Doctor observed that it was one of which the Government had full information; that the wishes of the people upon that Subject had already been conveyed to the Seat of Government, in the official communications of Governor Claiborne, and that the Decision of Congress had no doubt already taken place.

If however, the Citizens were desirous of conveying their Sentiments to Congress upon the Subjects interesting to the Province they had this right, and all he wanted was that the mode of doing so should be prudent and the manner respectful." The Doctor proposed that a Committee of three should be appointed, to draft a memorial to Congress, to be reported to their next meeting and that after being signed by such Gentlemen as should approve its contents it be transmitted to the Governor, with the request that he would forward the same to the General Government" When the Doctor had finished the President of the meeting observed "that this was a French Assembly and altho from respect for the last speaker, he had not prevented him from delivering his sentiments in English, yet he trusted the example would not be followed, but knowing the Gentleman to be perfectly master of the French he desired him to speak in that language" to which request the Doctor acceded, and again rising delivered in French, nearly the same Sentiments which he had previously done in English.

Doctor Watkin's speech was well received and had a great effect. Mr. Detrion's motion which had excited such general plaudits was rejected, not a single person rising in its favour, and Doctor Watkins's motion was carried unanimously. The Doctor, a Mr. Mericult and Mr. Pitot (two respectable Merchants were appointed the Committee to draft the Memorial, and then the meeting broke up without fixing on any other day for their assembling. The probability therefor is, that the Committee will not frame the Memorial, or if they do, that the body which appointed them will not again be called together to receive it.

I am well pleased with the issue of this meeting, the prime mover of this business is a troublesome Man and if he had talents would be dangerous— his object was to be appointed the Commissioner to Congress, and to gratify his ambition he cared not how much commotion was excited in this present tranquil District. I understand that this Mr. Tupper is known to the Northward as a Swindler, and that a Mr. Moreton a Merchant of Boston has suffered much by this fraudulent conduct. Tupper passes here for a man of fortune, and being very much of a Parisian in his Manners and Politicks has acquired some influence among the uninformed of the French Society. I hope however, that his real character will soon be known and that he will sink into contempt. I will again take the Liberty to observe, that the continuation of the slave trade for a few years is viewed by the inhabitants as essential to the Welfare of this Province, and no act of Congress would excite more discontent, than an immediate Prohibition. My private feelings with respect to this trade it is not necessary to express, but it seems to me, to be my duty to convey to the President, the wishes and Sentiments of the inhabitants upon the Subjects of general interest.

The Commercial embarrassments of which the Mer-

chants complain, I trust will speedily be removed, and I was pleased to find in the proceedings of Congress, that provision was likely to be made, for admitting Citizens of Louisiana, to obtain Registers for their Vessels. This privilege was expected and will be highly gratifying. I believe also, that the Citizens of Louisiana would be well pleased in having some voice in their local government, perhaps the mode proposed in the Senate of choosing forty four Delegates, twenty four of whom shall be selected by the Governor as one branch of the Legislature might be pleasing, and if this Branch had the power of electing a Delegate to Congress with authority to speak, and not vote, it would tend still more to conciliate the confidence of the people in the general Government.

If at the late meeting, the general wish had been expressed in a memorial, I am sure Congress would have been solicited to give the people some voice in their local Government and a Delegate to Congress. To ascertain the general sentiments of the District on interesting Subjects at any other time than the present, I should not regret the peoples peaceably assembling together, but at this particular period, when the state of things is unsettled, and there are yet so many characters in the Province, who propose speedily withdrawing from it, and would take delight in exciting (previous to their departure) tumult and disorder, I am not solicitous for any public meetings.

Perfect good order prevails in this City, and the people generally appear to be in a fine Humour. The reflecting part of Society are much occupied with the Bank, and the young and giddy are engaged in a *charivari*, at the expense of the feelings of an old widow, who has lately married a young man. The widow was a Madame Don Andre whose annual income is about forty thousand Dollars, and the young Men are determined to prosecute the Married pair with *charivari*, until they agree to give

a splendid fete to the genteel part of Society, and one thousand dollars to the poor of the City, it is expected that these terms will be acceded to.¹

Accept assurances of high respect and consideration.

(Signed) Wm. C. C. Claiborne

The Honble.

James Madison

Sec. State.

From Col Bellechasse to Gov. Claiborne.

New Orleans 13th March 1804

Sir,

The ill state of my Health, the insufficiency of my means, and above all the impossibility of explaining myself in the English Language prove to me that I cannot enjoy the Honour your Excellency has been pleased to confer on me of Colonel Commandant of Militia. I beg leave therefore to return you my thanks, and hope you will accept of my dismissal, with a tender of my services whenever you may find proper to dispose of me.

I have the Honour to be with the greatest Respect your Excellency's most obdt. and very Hbl. St.

(Signed) Bellechasse Deville Degoutier

To His Excellency

Governor Claiborne

From P. Dubigny to Gov. Claiborne.

His Excellency New Orleans 13th March 1804

The Governor General

Sir,

Finding it impossible for me to continue any longer in the office of Register of the Municipality, where I have

¹ Illustrating the amusement loving nature of the people.

been obliged, these two months past, to place a Deputy with the whole care of the Business, and I beg of your Excellency to accept of my dismissal, and appoint some other person in my stead. In the mean time I pray your Excellency to be convinced that this resignation does not proceed from any indifference for the Public Service, but from absolute necessity, and powerful motives.

I am with much respect Sir your Excellency's

Most obdt. Hbl. St.

(Signed) P. Dubigny

To Col. Bellechasse.¹

New Orleans 17th March 1804

Sir, I have to acknowledge the receipt of your favor of the 13th instant whereby you wish me to accept your resignation of the appointment of Colonel Commandant of the Militia, in reply to which you must permit me to observe that I cannot consent at this time to your withdrawing from the public Service. The respect which I have for your Talents and Character, the great share of public esteem and confidence which you enjoy, and the present peculiar situation of our Country urge me to claim your further services.

I lament that my official communications from the Government of the United States have not yet put it in my power to take such steps as I could have wished relative to the organization of the Militia, and such as must be desired by you and all the officers under your command but I beg leave to assure you, and wish you to repeat this assurance to your officers that I daily expect information upon this subject, and that in the mean time

¹ Colonel of militia, see Fortier's Louisiana for many references.

they are to consider themselves as holding under my authority the same Commissions which they held on my taking possession of the Government. I wish you to observe to them also, that although I have Commissioned Officers to three or four Volunteer Companies in this City it has not been with the view of making any distinction in their situations, nor does it imply any preference of confidence, but was done merely with the design to enroll a number of persons in the Militia who under the former Governments were attached to no corps, or were subject to any kind of military duty whatever.

I regret that when you were last in Town certain circumstances prevented me from having the pleasure of seeing you, and particularly so as I was informed by Doctor Watkins that you wished to communicate to me some particulars relative to the Public Interest. The Doctor has stated them to me in substance but I flatter myself that on your next visit to Town you will be so obliging as to inform me (in person) more particularly.

I have the Honour to be &c &c

(Signed) Wm. C. C. Claiborne

Mr. Bellechasse

Colonel Commandant of Militia

To Mayor Bore.

New Orleans March 19th 1804

To the Mayor of New Orleans

Sir,

I have the Honour to acknowledge the receipt of your Several Letters of the 7th 15th and 19th instants, and to thank you for the information therein contained and the demonstrations of your watchfulness for the preserva-

tion of order and good police. In reply to the first which speaks of the orders given to the Commandants of Plaquemines and the Bayou St. Johns I have to assure you that this Subject shall be immediately taken into consideration, and such change made as may best comport with the interest of the individual and the Safety of the Country at large. As to the particular description of Negroes that shall or shall not be admitted into the Country, and the means of making the discrimination, it is a power devolving particularly upon myself nor can I transfer it to any other body. You may be assured however that such measures shall be taken in that affair as may be best calculated to secure the public good. In reply to your second communication wherein you request me to name a place of deposit for powder &c I can only observe that the Government not permitting the erection of a new Magazine for Powder, I shall enquire into the situation and condition of the different Public buildings now existing here and should there be one found suitable to that purpose it shall be subject to your disposal.

You are mistaken when you remark that the thirteen Negroes alluded to in your Letter were sent away by my orders, as this transaction happened before my arrival in the Country. I was however informed some time since, of the entry of a parcel of Negroes by the way of *La fourche* and of their improper conduct probably the same to which you alluded, and have already given such instructions relative thereto as the peace and Safety of the country required.

I have the Honour to be with considerations of Respect & Esteem

Your obdt. St.

(Signed) Wm. C. C. Claiborne

Mr. Boré Mayor

New Orleans March 20th 1804

To the Mayor and Municipality of New Orleans.

Sir,

I received a few days since Mr. Dubigny's resignation of the Office of Secretary of the Municipality and not wishing to fill his vacancy without consulting that body, I have addressed to you this letter, and request that you would nominate to me a person who would be most acceptable to the Municipal Corps as their Secretary.

I have the Honour to be with consideration of Esteem and

respect

Your obdt, St.

(Signed) William C. C. Claiborne

Mr. Boré Mayor &c.

To Joseph Chambers.

New Orleans 21st March 1804

To Joseph Chambers

United States Factor

Fort St. Stephens

Sir,

I enclose you a copy of my correspondence with Governor Folch, relative to a free passage for Goods &c to and from the Factory, from which you will perceive, that some difficulties may probably attend the Establishment. I advise however, that you immediately make arrangements to export your Peltry to this City or to the United States as may be most convenient; if duties are demanded it may be adviseable to pay the same, not however without making a formal protest against the proceeding: in which protest it must be particularly stated "that the property on which duties have been exacted, is the prop-

erty of the United States, and that you conceive a duty thereon is an unfriendly and improper proceeding.

Taking it for granted that you cannot leave Fort Stoddart yourself, I desire that you furnish the person to whom you commit the Peltry &c with a certificate "Stating the Property as belonging to the United States, and also with a proper *protest* in the event that duties should be exacted. I believe however that your certificate, stating the property as belonging to the United States, will secure to it a free passage.

I wish you Health and happiness

(Signed) Wm. C. C. Claiborne

To Col. Bellechasse.

New Orleans March 22nd 1804

Sir,

Since the date of my Letter to you of the 17th instant I have received instructions from the President of the United States relative to the organization of the Militia. I therefore request the favour of your presence at the Government House so soon as you may find it convenient.

I have the Honour to be with considerations of respect

Your obdt. St.

(Signed) Wm. C. C. Claiborne

Mr. Bellechasse

Colo. Commandant of Militia

To St. Amand.

New Orleans March 22nd 1804

Sir,

I have the Honour to acknowledge the receipt of your favour of the 20th instant in which you inform me of

your having authorized Mr. John Hutchinson to keep a Tavern and Billiard Table in your District. In so doing you have my entire approbation and under the instructions which you will shortly receive from me containing some regulations for the general police of the Country, you will have it in your power to continue Mr. Johnston in that employ. I regret the circumstance of your indisposition, and have to assure you that whenever you may come to Town, I shall be happy in having the pleasure of seeing you.

I have the Honour to be with respect and esteem

Your obdt. Srt.

(Signed) Wm. C. C. Claiborne

Mr. St. Amand

The Commandant of the first German Coast

From H. Dearborn to Gov. Claiborne.

Washington February 20th 1804

Sir,

The new organization of the corps of the Freemen of Colour, in and about New Orleans, being a subject of some delicacy, has been maturely considered with the several bearings of which it is susceptible, and it has been ultimately decided, that under existing circumstances it will be expedient either to continue or renew the organization, as may in your excellency's opinion be most proper. It will be prudent not to increase the Corps, but diminish, if it can be done without giving offense, the principal officers should be selected with caution, having regard to respectability and integrity of character, as well as their popularity and influence among their associates.

It may be advisable to present them with a Standard

or Flag as a token of confidence placed in them by the Government; it need not be large or very expensive, but such as will be satisfactory to the corps, if a silk one should be deemed necessary I presume it can be painted at New Orleans, otherwise it may be made of Buntin like the Flags for Sea Service. The organization of the several companies of Militia, noted in your Excellency's Letter to the Secretary of State merits the fullest approbation of the President of the United States. It is presumed the Spanish Troops will have left New Orleans and its dependencies before this reaches you, together with the officers both Civil and Military, if however the whole shall not have departed, you will please to have recourse to such prudent and reasonable Measures, as the nature of the case may require, for effecting a complete evacuation of the Territory by said officers and Troops as soon as practicable.

There can be no reasonable objection on the part of the Spanish officers to a complete evacuation of the Ceded Territory within three months at furthest after possession was taken by the French Government. "It having been decided that no Vessel either American or foreign ought to pass up the river without paying duties at the Port of entry to New Orleans and as it is possible some armed Vessel may attempt to pass, it will be expedient, to have every such armed Vessel detained at Plaquemines until she shall be reported to you, who will adopt such prudent steps as the nature of the case may require," and I flatter myself you will be sensible of the propriety of avoiding as much as possible every cause of offence either to the Spanish Government, its Officers or Subjects. A Bill has passed the Senate of the United States and will immediately be taken up in the House of Representatives for the establishing temporary forms of Government for the Lower and upper Louisiana, which I hope will soon become a

Law and prove satisfactory to the inhabitants of that Country.

Lieutenant Colonl. Freeman¹ with three additional companies of artillerists, will I presume arrive at New Orleans in all the month of April, which it is believed will with the Militia Corps in addition to the Troops now there, form a sufficient force to secure the tranquility of the Country. If General Wilkinson should not have left New Orleans before this reaches you, I will thank you to request him to issue the necessary orders to the Commanding officer at Plaquemines, relative to any armed Vessel that may enter the River, which should be retained at that Post until reported as before mentioned.

I am very Respectfully

Your Hbl. St.

(Signed) H. Dearborn

His Excellency

Wm. C. C. Claiborne

From James Madison to Gov. Claiborne.

Washington Feby 20th 1804
Department of State

Sir,

Since my last I have received your Letter of the 17th of January, with two from yourself and Genl. Wilkinson on the 16th and 17th January and the other papers enclosed. The arrival of the French Troops and Passengers is a circumstance to be regretted on several accounts. The Steps taken and contemplated in consequence of it are approved by the President, and it is hoped will lead to a Satisfactory result. I have communicated the subject to Mr. Pichon, who is disposed to free

¹ For military record see Heitman, Vol, 1, p. 435.

the United States as far as he can from the Burden of supporting these objects of humanity as well as to promote their departure.

The Bill providing a Government for Louisiana is still depending. That relating to its commerce and Navigation has passed, and will be of course transmitted from the Treasury department. You will learn from General Dearborn the views of the President on the subjects connected with the War Department.

I have the Honour to be, Sir with great Respect

Your obd. St.

(Signed) James Madison

His Excellency

Wm. C. C. Claiborne

From Gideon Granger to Gov. Claiborne.

Washington February 20th 1804

General Post office

Sir,

Your Draft of the 18th November last in favour of Ferdinand L. Claiborne for 666.66-100 Dollars has this day been presented and paid. But as it is more properly an expense of the War Department and as there is no Provision by law authorizing such a charge in the Post Master Generals accounts at the Treasury you will be pleased to transmit to me your draft for the same sum on the Secretary of War (with whom I have conversed on the Subject) to reimburse this office for the payment which has now been made.

I have the Honour to be with Much Respect Sir

Your obd. St.

(Signed) Gideon Granger

His Excellency

Governor Claiborne

To Gen. Wilkinson.

New Orleans 22nd March 1804

Sir,

I have the Honour to enclose you an Extract of a Letter from the Secretary of War to me, dated on the 20th ultimo, and to request that you would issue the necessary orders to the Commanding officer at Plaquemine.

I am Sir very Respectfully

Your obd. St.

(Signed) Wm. C. C. Claborne

General Wilkinson

To Henry Dearborn.

New Orleans 22nd March 1804

Sir,

I received on yesterday your Letter of the 20th ultimo, and you may rely upon my careful attention to its contents. The recognition of the Militia Corps composed of *the People of Colour*, is certainly under existing circumstances the wisest Course to pursue, and I shall take pleasure in executing your orders in relation to them.

The Spanish Troops are not withdrawn but preparations for an evacuation are apparently in great forwardness, and the Spanish officers have assured me that a movement will take place in a few days. General Wilkinson is still in Orleans, he awaits the evacuation by the Spaniards and the delivery of the Public buildings: I communicated to the General your instructions relative to the detaining of armed Vessels at Plaquemine, and the necessary orders will be issued.

Previous to my departure from Natchez I informed you, that I had incurred some expense for the equipment

and comfort of the Mississippi Militia; I now enclose Major Claiborne's account against me for the articles furnished and I wish to be informed whether I may draw on you for the amount. The *Scarlet Cloth* is an item in the account, which I do not like, nor was the article furnished by my order, the cloth was used for *Ledgings for the riflemen*, and I understand was particularly desired by the men, the other items I recognize, they were absolutely necessary to a convenient movement of the Militia. I have paid to Major Claiborne Five hundred Dollars on *account* and drawn *that sum* from the fund allowed me for the taking possession of Louisiana. I do not know whether the account should be wholly paid out of this fund, or by Bills on the War Department and therefore Solicit your opinion thereon.

There is another Subject in relation to the Mississippi Militia, which it is my duty to mention. A Captain Duncan who commanded a Company on the expedition procured for his Men (upon his own Credit) uniform clothing, previous to their marching from Natchez. On the arrival of the Militia at Fort Adams the Volunteers (excepting Duncans Company) were furnished with regimentals from the Public Stores, of which they stood in great need to render their appearance respectable and their situation comfortable, for the weather was cold and the Men very thinly clad. Duncans Men who had become personally answerable to him for their clothing, seeing that the other Volunteers had clothing given them, considered themselves no longer accountable to their Captain, and have left him or the Government to settle the account.

I wish the Executive would permit me to pay Duncan out of the fund allowed for taking possession of Louisiana; the Sum he claims is not more I believe than three hundred Dollars, and I should indeed be sorry that he should lose it.

I have no more Militia expences to enumerate; they have been greater than I had expected and no man regrets it more than I do: the disbursements however were made with a view to the Public interest and as far as was in my power a prudent economy has been observed. But the speedy raising and marching of Troops, leaves little time for economical arrangements, and will always be attended with increased expenditures.

Accept assurances of my respect and high consideration

(Signed) Wm. C. C. Claiborne

P. S. I drew a Bill some time ago in favour of Major Claiborne on the Post Master General for six hundred and sixty six dollars and sixty six cents, on account of his contract for carrying the Express Mail from Natchez to New Orleans, which Bill the Post Master General has paid, but has requested that I would forward to him a Bill on you for that amount being of opinion that the charge more properly belonged to your Department and which I shall do.

Wm. C. C. Claiborne

The Honble.
Henry Dearbourn
Secty. of War.

To James Madison.

New Orleans 24 March 1804

Sir,

I have received your Letter of the 20th ultimo and which is the only communication from you that has reached me, since my arrival here, and even this was not permitted to Pass without being perused by some abandoned person, for the Seal was broken when it was handed me. It will indeed be a difficult task to discover where

the abuses in the Post Department are committed, but they of late have been so great, that I consider the conveyance *by Post* from this City to Washington as very precarious and unsafe.

If my communications have reached you regularly there has been *no event* of any importance in this Province, of which you are not advised, and at present I have only to add, that perfect good order and tranquility prevail in New Orleans, and as far as I can learn throughout the Province. The Law relating to the Commerce and Navigation of Louisiana, has not yet been received by me, nor are its contents known here, its arrival is awaited with great anxiety, and I persuade myself that the provisions of the Law will be satisfactory.

The Spanish forces are not yet withdrawn, and we are still deprived of the use of the Public Stores and a part of the Barracks; Mr. Laussat has from time to time been entreated to enforce an observance of the Treaty relative to an evacuation, and we have as often been assured that the Spaniards were making preparations for a departure. These preparations are still continued, but they progress infinitely too slow to suit the interest of the United States.

Mr. Laussat proposes to leave this City in a very few days, but I know not the place of his destination, I shall indeed rejoice when all the foreign agents and their dependants are gone. The Government may then be easily administered, and the preservation of good order will be attended with no difficulty.¹

General Wilkinson is still here, and I believe will not depart until the Spanish Troops are withdrawn, and the Public Buildings delivered; when this will happen, I cannot certainly say, but if there is any confidence to be given

¹ The continued presence of the former executives of Spain and France made Claiborne's position unusually difficult, but the real seat of the trouble lay in the feelings of pride of race and nation.

to the Spanish Officers, a final evacuation will take place in a few days.

Accept assurances of my great respect and high consideration

(Signed) Wm. C. C. Claiborne

The Honble.

James Madison

Secty. of State

Extract of a Letter from Governor Claiborne to the Post

Master General Dated New Orleans 24 March 1804

Sir,

Your Letter of the 20th Ultimo I have received, and am Thankful to you for honouring my Draft of the 18th of November for Six hundred and Sixty Six Dollars Sixty Six Cents, and agreeably to your request I enclose you a Bill on the Secretary of War for the same sum. &c

To Beverly Chew.

New Orleans 24 March 1804

Mr. Beverly Chew

Sir,

Understanding from your Letter to me, that the Saddle bags used by the Post-Rider from this City to Natchez is not sufficiently large to contain the Mail, I must ask the favour of you to procure a larger pair, and to pay the cost thereof out of monies you may receive on the Postage of Letters.

With Respect and Esteem

Your obdt. Set.

(Signed) Wm. C. C. Claiborne

To Cato West.

New Orleans 24 March 1804

Dear Sir,

Your Letter of the 15th Instant I have had the pleasure to receive. If Major Cook wishes to visit any part of Louisiana, a passport from the Commandant at Concord (Major Claiborne) will secure him a free and safe passage. He may trade with the inhabitants of Louisiana for Horses or any thing else, but I cannot permit him to go into the Indian Towns or to pass into the Spanish Dominions as a trader.

I do not think this kind of trade can at present be carried on, without endangering the peace of the Frontiers, and the good understanding which exists between the United States and his Catholic Majesty. Such however is my disposition to serve Major Cook (of whom I have a good opinion) that if he would select any out Post in Louisiana for his residence I will grant him a License to trade with the Indians who might visit such Post. Perfect tranquility prevails in this City and as far as I can learn throughout the Province.

Accept my best wishes.

I am D. Sir very Respectfully

Your obdt. Set.

(Signed) Wm. C. C. Claiborne

Cato West Esqr.

Sect. of the Mississippi Territory

To Albert Gallatin.

New Orleans 25 March 1804

Sir,

I have the pleasure to enclose you a statement of my Public Account up to this day. You will discover that

some of my payments have been on account and one in advance, which I suppose will prevent for the present a Settlement at the Treasury Department, but I was anxious to forward you the vouchers, in order that you might be informed of the extent of my expenditures. The payment made to Major Claiborne for Sundry Supplies furnished the Mississippi Militia I presume will be more properly chargeable to the War Department, and on this point I have consulted the Secretary.

You will observe that I have paid Decius Wadsworth¹ three hundred dollars on account: it may be necessary to mention that Major Wadsworth has acted as Secretary to the American Commissioners, and has really had arduous duties to perform. Our Correspondence with Mr. Loussat has been Voluminous, and Major Wadsworth from his accurate knowledge of the French language has been useful to us in translating Mr. Laussats letters. It seemed to the General and myself very just, that Major Wadsworth should be allowed something for his services, and I have determined to pay him at the rate of four Dollars Per Diem. You will observe that there is a balance remaining in my hands of \$1232.51: the fact is that I have expended nearly the whole of this sum in providing furniture for the Government House but I shall hereafter account for this balance, by charging for my extra expences as Governor &c &c pro tem. of Louisiana, at the rate of four hundred dollars Per Month and for which sum I was authorized (by a Letter from the Secretary of State) to draw on the Secretary of War; but I have omitted doing so, thinking that it would be equally satisfactory to the Executive, that I should draw my compensation out of the *ten thousand Dollars fund*, provided it should prove sufficient for that object, and to defray be-

¹ See Heltman, Vol. 1, p. 991.

sides the contingent expences of the Temporary Government.

With Esteem and Respect, I am Sir

Your most obdt. Set.

(Signed) Wm. C. C. Claiborne

The Honorable

Albert Gallatin

Sect. of the Treasury

Note.— By the account forwarded in the above Letter, it appeared that I had received four thousand four hundred Dollars from the Collector of the Revenue three thousand one hundred and Sixty-seven dollars and forty nine cents of which I had expended for contingent expences of the temporary Government in Louisiana as appeared by the vouchers transmitted, leaving a Balance against me of twelve hundred and thirty two Dollars fifty one cents, my letter to the Secretary of the Treasury will shew in what manner I propose accounting for this balance. I left Natchez on the first of December, on which day my monthly allowance ought and no doubt will be construed to have commenced. On the last day of this month therefore there will be due me Sixteen hundred Dollars, which will bring the Government in Debt to me.

(Signed) Wm. C. C. Claiborne

To Laussat.

New Orleans 26th March 1804

Sir,

I have received your Letter of yesterday respecting Mr. Gaurand, the motives of humanity which have induced the request you make united to my desire of doing what may be agreeable to you have influenced me to give him the License he desires.

Accept assurances of my great Respect, accompanied with my best wishes for your Health and happiness.

(Signed) Wm. C. C. Claiborne

Mr. Laussat.

To Laussat.

New Orleans 26th March 1804

Sir,

I hasten to acknowledge the receipt of your Letter of this day relative to the French Sailor Jaques Griffon, on Board the armed Brig Martin from Kingston, and to inform you, that the Captain has already received from me, orders to deliver to the said Sailor all his cloathes, to pay him the amount of wages justly due him, and to give him his discharge, all of which will be promptly executed.

Accept assurances of my Respectful consideration!

(Signed) Wm. C. C. Claiborne

To Laussat.

M. Laussat.

Commissioner of France, &c.

Protest against the French Priveteer La Coquette

Be it known to all men by these presents, that on the twenty fourth day of March 1804, before me, Israel E. Trask, duly commissioned *Notary public* in and for the City of New Orleans, personally came and appeared Thomas Bailey; who being duly sworn did depose and Say, that he Thomas Bailey Merchant, Citizen of the United States, and resident at Charles Town, South Carolina, being in the American Brig Columbia, Commanded by William Torrey, originally bound from Charlestown

to Carthagena, with a Cargo of Dry Goods and provisions, and last from the Port of Gonaives, from whence they escaped in the night, after having been robbed by the blacks of a Considerable part of their provisions, and then bound to Jamaica for provisions and water, that on or about the seventh day of February last, being as near as the Deponent can conjecture, between Cape Donna Maria, and Jamaica, they were chased fired at, and brought to, by a Schooner under French Colours, by whom the Captain of the Columbia was ordered, to get out his Boat, and immediately came aboard, this order the Captain was forced to comply with, and accordingly hoisted out his Boat, and sent in her his Mate, with the Brigs papers; in a short time the boat returned, manned with a French Prize Master and Crew, who as soon as they stepped on board began to plunder the Vessel and abuse the Captain and crew, calling them *Coquine Americaines*, and loaded them with epithets too scurrillous and obscene to be repeated, casting at the same time the most abusive reflections, upon the American Government and National Character.

The Prize-Master during these Outrages, had his Sabre drawn, threatening the Captain to put him to Death, and after treating them in this manner, with the most Wanton insult, and loading them with the most opprobrious epithets, forced them with all the Crew, except three Sick Sailors, into the Boat, without allowing the Officers or the deponent to go into the Cabin, or Suffering them to take the least article of dress. The deponent further saith that on going on Board the Schooner, he found her to be La Coquette, a French Privateer of two Guns and eighty Men, Commanded by Captain Bucher (who ranks himself as Captain De Frigate) fitted out from New Orleans who carried the Columbia to St. Iago de Cuba where the Deponent found about fifty sail of American Prizes, as well in ward as outward; the Cap-

tains of which informed the Deponent that their Cargoes had been plundered, their Vessels stripped, and then Ballast introduced into them after which they put to sea with a French crew, for the purpose, as the Deponent was informed, and actually believes, of sinking them.

The Deponent further saith, that upon demanding of Captain Bucher the restoration of the Vessel or a Condemnation, he was answered by Captain Bucher that the Vessel and Cargo belonged to him and that no condemnation could be had at St. Iago, but that he could go on Board the Brig and would restore to the Deponent his Papers, Desk Cloathes, &c but on the Deponent going on Board for this Purpose, he found he had been plundered of every thing of value; his Desk broken open, his Papers due-bills obligations &c all stolen or destroyed, and his wearing apparel all gone, so that he was totally robbed to his shirt.

Upon remonstrating with Captain Bucher, he was refused the least pecuniary assistance; altho he had robbed him of above two thousand Dollars in specie. The Deponent further Saith that the Mate of the said Brig who had been sent to watch the motions of the French in Port, upon his return, reported, that he had left their boats along side of the Brig discharging her Cargo. The Deponent also saith, that he was informed by Captain Bucher that there were about that time, seventeen Privateers cruizing out of St. Iago, and also that they were fitting out three more, from Vessels which had been taken from the Americans and were converted into French Privateers, and that Sixteen Sail of the Same Description were fitting and cruizing out of Baracoa— that in general they were small Schooners, with one or two Guns, but full of men.

The Deponent was also informed that the Columbia was the Second American Prize made by *La Coquette* since leaving New Orleans. The Deponent further saith,

that his Domestic, who was left sick on Board the Brig was treated by the French in so Brutal a manner, that his life was despaired of, and that the Deponent was obliged to leave him behind at Cuba in that Situation.

In testimony whereof I have hereunto subscribed my name and affixed my Seal this twenty fourth day of March A. D. 1804 and of the Independence of the United States of America the 28 year.

[S. L.]

(Signed) I. E. Trask

Notary Public

A true Copy from the original
Jos. Briggs

To the Marquis of Casa Calvo.

New Orleans March 28th 1804

Sir,

I have the honour to enclose to your Excellency a Statement made on oath, by a Citizen of the United States, relative to the capture of an American Vessel, the plundering of her Cargo and the ill treatment of her crew by a Privateer under French colours called *La Coquette* commanded by a Captain Bucher.

This Privateer is said to have been fitted out at New Orleans, while Louisiana remained under the Government of Spain. You will further perceive from the Statement enclosed; that the Captured Vessel was carried into St. Iago De Cuba a Spanish Port and which is stated to afford an assylum for many French Privateers that are in the habit of committing daily outrages against the Flag of the United States and the property of her Citizens.

With an impression that these wrongs have not been committed under the Sanction of his Catholic Majesty

between whom and the United States so friendly an understanding is maintained, and in expectation, of receiving from you an explanation upon this subject which may enable me to make a Satisfactory report to my Government, I have addressed to your Excellency this communication, and must solicit the Favour of an answer as soon as may be convenient.

Accept assurances of my high respect and consideration

(Signed) Wm. C. C. Claiborne

His Excellency

The Marquis De Casa Calvo

Commissioner of his Catholic Majesty &c

From Gen. Wilkinson to Gov. Claiborne

Head Quarters—

New Orleans March 26th 1804

Sir,

I have been Honoured by your Excellency's Letter of the twenty second Instant with the enclosure and have issued the necessary orders to the officer Commanding the Fort Plaquemines, who will suffer no armed Vessel to pass him before your permission has been signified to him.

Respectfully I have the Honour to be your Excellency's

most obdt. Sert.

(Signed) James Wilkinson

His Excellency

Governor Claiborne of the Mississippi Territory &c
&c &c

To Maj. Dorsier.

New Orleans March 30th 1804

Sir,

I send you herein enclosed, your Commission as Major of the Militia, and at the same time take occasion to observe that having recently received from the President of the United States instructions relative to their organization and finding from the infirm state of Colonel Bellechasse's that he is at present unqualified to attend to it, I request you as the next Officer in Rank to repair as soon as may be convenient to the City, for the purpose of making such arrangements as may be proper to carry the intentions of the President (relative to the Militia into effectual execution.

I have the Honour to be with due esteem

Your obdt. Servt.

Major Dorsier

To the Comandants of Districts

Circular

Sir,

In the unsettled declining moments of a Government, or in the Passage of Countries from one Dominion to another, it often happens that laws are evaded and Municipal regulations entirely neglected. This seems to have been too much the case, in the various changes which have lately taken place in Louisiana. Seeing however that our Political relation is now permanently fixed it behoves the Civil Magistrates to recall the Citizens to obedience of the Law, and to Establish that order in society so essential to the preservation of morals and the promotion of Good Government.

I have therefore Deemed it proper to make to you a

general communication relative to your official duties, and to request your faithful attentions to the following Instructions.

- 1st. In your Charracter as commandant you are required to cause the Militia of your District to be enrolled, and to assemble them with their arms, at some central and convenient place therein, at least once in two months and to instruct them in the manuel exercise. And you are authorized to take such measures to that effect as your judgment may dictate, and as may be consistent with the former regulations of the country.
- 2nd. You will take such measures as may be in your power, to prevent slaves from wandering about either by day or night, without passes, or from trading among themselves, or with free people without permission from their owners, and you are particularly enjoined to enforce with justice and in mercy the regulations of police heretofore prescribed in this Province, and which are still in force upon the subject of Slaves, as well with a view to their better treatment which will be the consequence of good behaviour, as to promote the interests of their Masters.
- 3rd. You will cause the roads Bridges and Levee to be mended, and kept regularly and constantly in good repair, to the end that the Crops may be preserved, and the communication by Land facilitated, and rendered safe and convenient; for the accomplishment of which, you will put into immediate execution, the regulations heretofore existing in relation to those objects.
- 4th. You are to allow no person or persons on the Public Road or elsewhere in your district to sell or vend by retail, Wines of Spirituous liquors of any kind to travellers or any other persons, without

such person or persons shall have previously obtained your License to that effect, and the regulations heretofore made in Louisiana in relation to Taverns are to be your guide.

- 5th. Persons Licensed as aforesaid are to be prohibited from selling Liquors or wines of any kind to any Slave without the consent of his owner stated in writing, or to any Indian without your permission. These restrictions you will notify to the Tavern keeper, at the time you grant the License, and should he act contrary to this injunction, his License shall for the first offense be forfeited.
- 6th. Desirous of obtaining the most accurate knowledge of Louisiana and of the Interests of its citizens, I have to ask of you such information as you may possess on the following points.
- 1st. The extent of your District, the quantity and as nearly as you can State the quality and productions of the soil.
- 2nd. The number of Sugar Plantations, and the amount of Sugar, Rum, Taffia and Molasses made upon each plantation one year with another.
- 3rd. The number of inhabitants in your District; their colour sex and condition, and particularly the number of Militia.
- 4th. Are there any Schools, either English or French and what (in your opinion) would be the best mode in the present situation of the Province of introducing and supporting these necessary and important institutions?
- 5th. What is the quantity of Vacant Land in your District.
- 6th. Are there any Public Buildings? What is their value, and what quantity of Public land belonging thereto?
- 7th. Are there any Bayous or forks of the river in

your District which will admit of being cleared out, so as to facilitate the commerce of the Country? and what (in your opinion) would be the probable expense of such undertaking, and the best method of executing it?

8th. The number and condition of your churches. Are you supplied with Clergymen; and do the Citizens manifest a disposition to support, respect and patronize regular Ministers of the Gospel?

9th. The situation and condition of your prison, should there be any and in case there is none, is one required?

I shall expect from you, answers to the above Queries as soon as may be convenient, and I take this occasion to enjoin it upon you to be faithful to the trust committed to you, and to do every thing in your power to preserve good order, and to promote the welfare and happiness of your fellow Citizens.

In all your official acts keep constantly in view, the principles of impartial justice, and enlist in favour of the New Government the affections of your neighbors.

When the occasion serves, you will impress upon the inhabitants, the propriety of educating their Children; of instilling early into their minds, principles of morality, and rearing them up in habits of industry— Education calls dormant faculties to light and points out their use— Industry is the great source of Public and Private wealth; and virtue alone promotes our happiness here and insures it hereafter.

You may also assure the Citizens of your District, that their true interest is very dear to the Councils of their Country; that their liberty, property and religion will be protected; their Commerce and agriculture promoted, and the arts and Sciences in Louisiana particularly cherished.

Some delay must attend the due organization of the

new Government; it of necessity attaches to so arduous an undertaking. The carrying into effect all the wise measures contemplated by Congress for the good of Louisiana, will require time, but I am persuaded, my fellow Citizens will very soon have strong proofs of the growing prosperity of their Country, under the fostering care of the American Government, which I do not hesitate to say is the best upon Earth.

Accept assurances of my great respect and High Consideration.

(Signed) Wm. C. C. Claiborne

New Orleans March 31st 1804

To the Mayor and Municipality of New Orleans
Sir,

I have the honour to enclose to you, a Commission for Mr. De La Hogue the Gentlemen recommended by your Honourable body to succeed Mr. Dubigny in the office of Secty to the Municipality of this City; and to Subscribe myself with due respect

Your obdt. Sevt.

(Signed) Wm. C. C. Claiborne

New Orleans March 31st 1804

To the Mayor and Municipality of New Orleans
Sir,

I have the Honour to acknowledge the receipt of your Letter of the 19th Instant relative to the establishment of a Horse Guard in the Town and Environs of New Orleans. In reply to which I can only say that it will give me pleasure to receive the plan alluded to in your com-

munication, and it shall receive from me that attention, which the importance of the Subject requires. In the mean time I think it proper to mention, that you have my permission to make an experiment of the Horse-guard for the Town of New Orleans and the Banlieu, provided the inhabitants of the same will voluntarily consent to raise the necessary funds in the manner prescribed in your Letter.

It is to be understood that the Horse guards is to be established by my permission, and subject (through your body) to my orders as their Chief. The Municipality however are to make the necessary regulations for creating, organizing and providing for the pay of the same, but the appointment of the officers is to be made by me. It is desirable that the whole of this Corps should consist of white persons and if possible natives of the Country or those who have resided in it for some years.

I have the Honour to be with considerations of high Respect

Your obed. St.

(Signed) Wm. C. C. Claiborne

To James Madison.

New Orleans 31 March 1804

Sir,

The Laws regulating the commerce of Louisiana, have been received here, and that which relates to the registering of Vessels has given great Satisfaction. We have also seen the Law providing for a temporary Government in the shape it passed the Senate, the prohibiting the importation of Slaves is a source of great dissatisfaction, and I believe the opinions and wishes of the people upon this subject will be expressed in a Memorial

to Congress, which will probably be forwarded by the next Mail.

I very much fear that your letters to me are intercepted some where on the road: I have received but one communication from you since my arrival in this City, and that was open, when delivered. I shall in future forward by Sea duplicates of my important official Letters, and I will take the Liberty to suggest that it would give safety to your communications, if a similar precaution were observed by the Department of State.

I enclose you a copy of a circular Letter which I lately addressed to several Commandants of Districts, and I persuade myself that its contents will be approved by the President. Neither the Prefect nor the Spanish Troops have yet left New Orleans, the Departure of the first it is said will be soon, and the Spanish forces I understand will *certainly* embark between the 5th & 10th of April.

I have the pleasure to assure you, that the most perfect good order prevails in Orleans and its vicinity.

Accept assurances of my great Respect and high Consideration.

(Signed) Wm. C. C. Claiborne

To the Honble.
James Madison
Sec. of State

To Albert Gallatin.

Orleans 1st April 1804

Sir,

Having understood, that a Mr. Garland of this City, who had been appointed a Surveyor of the Port, had declined accepting, I take the liberty to recommend as his successor Mr. William Brown who is now residing in Orleans.

Mr. Brown is very generally esteemed by his acquaintances, and is truly a deserving young Man: His talents and knowledge of transacting business in the Revenue Department particularly, qualify him for the office of Surveyor, and I believe a person as capable could not be found here, who would be willing to accept the appointment.

I am Sir with great Respect and Esteem

Your Obdt. St.

(Signed) Wm. C. C. Claiborne

The Honble.

Albert Gallatin

Secretary of the Treasury

To Thomas Villaneuva.

Orleans April 2nd 1804

Sir,

I have received your Letter of the 22nd Ultimo relative to the nomination of a Syndic for a certain part of your District. In reply to which I shall observe, that you have my approbation for appointing the person therein referred to, and I enclose to you for that purpose, a blank Commission requesting you to fill it up with his name, or the name of any other person you may think proper.

You will hereby receive a Letter containing general instructions to the Commandants, to which I flatter myself you will pay all that attention which the importance of the Subject requires.

I am Sir with due Respect

your obdt. St.

(Signed) Wm. C. C. Claiborne

Mr. Thos Villaneuva

Commandant dans la fourche De Chatimaches

To Antoine St. Amand.

Orleans 2nd April 1804

Sir,

I have received your favour of the 31st Ultimo, in which you mention the resignation of Six Syndics of your District and propose Six others, which you wish to be named as their Successors. I fully approbate your Selection, and I beg you to assure the Gentlemen you have named, that each of their Commissions shall be made out and transmitted to them through you, in the course of a few days.

The only letter I recollect to have received from you in the course of last month was one relative to giving Mr. Hutchinson permission to keep a Tavern and Billiard-Table, which letter I answered on the 22nd of the same month leaving you at liberty to act in that affair as you might think proper.

I send you enclosed a Letter containing some general instructions which I flatter myself may assist you in discharging the important duties attached to your office.

I have the Honour to be with Sentiments of due respect

Your obdt. St.

(Signed) Wm. C. C. Claiborne

Mr. Antoine St, Amand

Commandant of the 1st, German Coast.

To Miguel Cantrell.

Orleans 3 April 1804

Sir,

You are hereby requested to cause to appear before you so soon as it may be convenient, the parties inter-

ested in the Petition hereto annexed, to Wit John Coup-
rey and Peter le Bourgeois, and endeavour to effect an
amicable Settlement of accounts. They both want jus-
tice and as the case is plain it (in my opinion) can be
had in as short a time and with as much certainty by a
private friendly, arrangement, as from an expensive Suit
at Law, and which I would wish to prevent in all cases
when practicable. You are therefore desired to do
every thing in your power to produce such an equitable
adjustment as to reconcile the interested parties.

I have the Honour to be with respect and Esteem

Your obdt. Sert.

(Signed) Wm. C. C. Claiborne

Mr. Miguel Cantrell

Commandant of the 1st Acadian Coast

New Orleans 3 April 1804

To the Mayor and Municipality of New Orleans,
Sir,

I take the liberty to mention, for the consideration of
the Municipality, a Subject of some importance to the
Health of the Inhabitants of this City, and one within the
province of municipal regulations:— I allude to the num-
ber of dogs, now roaming at large within the City and
its environs, and which I consider a great nuisance.
When these animals are not Housed, and fed, with some
attention to their cleanliness, but are permitted to wan-
der about the Streets in quest of a Subsistence on re-
jected Carrion, and other filth, they soon in a warm Cli-
mate become the prey of disease and vermin, and are ex-
tremely liable to one of the most horrid Maladys to
which the Human or brute creation is subject.

These evils may be averted by some timely precautions, which I trust the Municipality will direct.

With Respect and esteem I am Sir,

Your obdt. Hbl. St.

(Signed) Wm. C. C. Claiborne

Mr. Boré
Mayor

To James Madison.

New Orleans 3 April 1804

Sir,

In consequence of a Deposition forwarded to me by a Mr. Bailey, of which the enclosed No. 1 is a Copy. I addressed on the 28th Ultimo to the Marquis De Casa Calvo a letter of which the enclosed No. 2 is a Copy, when the answer of the Marquis is received you shall be advised thereof.

I have the Honour to be with great Respect and Esteem

your obdt. Sert.

(Signed) Wm. C. C. Claiborne

The Honble.
James Madison
Secty. of State

From Henry Dearborn to Gov. Claiborne.

Washington 2nd March 1804

Sir,

I have taken the liberty to enclose you a Proclamation, issued by Authority of the President of the United States offering a reward of five Hundred Dollars for the

apprehending a Certain James Woods, who is charged with the Murder of a Cherokee Boy there is reason to believe he has fled into the Mississippi Country; should he be discovered in your Vicinity, I have to solicit you will take measures for having him apprehended and secured, that he may receive the punishment justly due the perpetration of an act so outrageous and infamous.

I have the Honour to be very Respectfully

Your Hbl. St.

(Signed) Henry Dearborn

His Excellency

Wm. C. C. Claiborne

New Orleans 6th April 1804

To the Mayor and Municipality of New Orleans

Sir,

I enclose to you a Document relative to the conduct of Mr. Heins one of the Commissary's of quarters for this City, as sworn to by Mr. Peyroux. As this gentleman received his appointment from your council and is dependent on your authority, you will take such steps relative to this affair as you may deem most proper.

I have the Honour to be with due Respect

Your obdt. St.

(Signed) Wm. C. C. Claiborne

Mr. Boré

Mayor

To Julien Poydrass.

New Orleans 6th April 1804

Sir,

I have the Honour to acknowledge the receipt of your favour of the 25th Ultimo to express the pleasure I feel

at the just sentiments you entertain of the American Government and to return you my thanks for your friendly expressions towards myself.

Under the Laws of the United States, the Inhabitants of Louisiana will be protected in that mode of Divine Worship they may think best calculated to secure their present and future happiness. You are therefore requested to assure the Citizens of your District that they have my entire approbation to choose their Clergymen and after having selected a deserving character for this sacred and important trust, I wish you to impress them with the propriety of being liberal in their Patronage towards him.

Knowledge and virtue are the only basis of the Liberty, prosperity and happiness of a people, permit me therefore to hope that the Heads of families in your District will guard with parental care the Education of their children and spare neither expense nor attention to enrich their minds with correct morals and useful information. Thus will they become in manhood valuable members of a free Govern't.

I enclose to you a letter of instructions which I assure myself will meet with due attention.

I am Sir with Sentiments of Sincere Esteem and high consideration

your obdt. St.

(Signed) Wm. C. C. Claiborne

Mr. Julian Poydrass
Commandant of Point Coupee

To James Madison.

New Orleans 7th April 1804

Sir,

I have received an answer to the Letter which I addressed to the Marquis de Casa Calvo on the 28th Ulti-

mo, a translation of the answer and of the Document accompanying it, are preparing and when completed, the originals shall be transmitted to you. It seems La Coquette was fitted out at this place, and was permitted to depart after the receipt of assurances from Mr. Laussat, that the Coquette was charged with dispatches for General Rochambeau and not intended as a Privateer. I am inclined to think that in the investigation of this business Mr. Laussats conduct will not appear in a favourable point of view. The Spanish forces are still here, preparations for an evacuation are making, but with all the sloth peculiar to Spanish operations. Mr. Laussats departure has not yet taken place, nor do I know when it will, but I presume very shortly.

General Wilkinson has for a week past been absent from the City, engaged I believe in ascertaining the navigation of Lake Ponchartrain, the 16th of this month is fixed upon as the day on which the General will sail from this Port to Philadelphia: but I think it probable, his sailing will be delayed a few days longer.

I have the pleasure to inform you, that the most perfect good order continues to prevail in this City and its Vicinity.

Accept assurances D. Sir of my Respect & Esteem
(Signed) Wm. C. C. Claiborne

The Honble.

James Madison

Secty. of State

To James Madison.

New Orleans 8th April 1804

Sir,

Enclosed is a Copy of an inflammatory production which was posted up at the Market House in this City,

in the course of last night. At eight o'clock this morning I heard of this writing, and immediately caused it to be taken down, the Author is not known, but the general Suspicion attaches to some of the late Emigrants.

I find that this inflammatory address, is greatly censured by many of the inhabitants, and I do not apprehend any unpleasant circumstances, will arise therefrom. Lest however some few deluded people might attempt to disturb the Public peace, I shall take some measures of precaution, by increasing the nightly Patroles; and directing the officers of the Volunteer Corps to hold themselves in readiness to act at a moments warning.

I deem these precautions the more necessary for the ensuing night, because on tomorrow the Spanish forces are to embark for Pensacola, and I learn that many of the Soldiers have discovered some inquietude at their approaching departure, and it is possible they may be disposed to Commit disorders. General Wilkinson has not yet returned from exploring the Lake.

With Respect and esteem I am Sir

Your obdt. Hbl. St.

(Signed) Wm. C. C. Claiborne

The Honble.

James Madison

Secty. of State

Address from the Nuns of the Convent of St. Ursula¹
— Delivered in the Convent—

To his Excellency William C. C. Claiborne Governor
General of Louisiana

¹The Nuns of St. Ursula had fled in dismay to Cuba when Spain transferred Louisiana to France; their return to New Orleans did much to inspire the people in the American dominion.

Hail gen'rous Chief! We hail you to these Walls,
Where meek Religion bears a placid Sway,
No passions rude, the humble mind appalls,
Nor discontents, the Worldly wish betray.

May Health, and peace attend each coming hour,
Each future year unfading Laurels bring;
Nor O'er your Autumn, dark misfortunes low'r
To blight the Harvest promised by your Spring.
May time Roll on, uninterrupted roll
Your days be spared to a length of years
Before you part to reach the final goal,
That bounds of Man, the future hopes and fears.

The Governors Reply

Venerable Ladies,

I receive with peculiar Satisfaction the elegant Poetic Compliment with which you have honored me. Your benevolent wishes flow from a source so pure, that I cannot deny myself the pleasure of acknowledging how sensible I am of their Sincerity and kindness. Permit me, in return to assure you, of the high estimation in which I hold your order, as well from a respect to that Religion to which you are devoted, as for the patriotic object of your institution— The Education of youth.

Under the free and mild Government of United America, you may with certainty calculate on the uninterrupted enjoyment of your present tranquil and hallowed retreat, and the exercise of the Honorable avocation to which your temporal cares are directed.

Permit me Ladies, to renew to your assurances of my friendly respect:— And may almighty God, bestow on this institution his choicest blessings, and preserve in

health and happiness all who dwell within these Sacred Walls.¹

(Signed) Wm. C. C. Claiborne
New Orleans 8th of April 1804

To Edward Menillon.

New Orleans 9th April 1804

Sir,

Repeated complaints having been made to me of the improper conduct of Mr. Joseph Trelong and Mr. Robert Mayeau Syndics of the District of Avoyle I have thought proper to request the favour of you to investigate this subject with the view of rendering justice as well to these gentlemen as to the Public. I enclose you two blank commissions for Syndics and should it be found upon proper examination that the present Syndics of Avoylle are unworthy to be continued in that office you are hereby authorized and required to appoint two other persons and to fill up the enclosed commission with their names. If on the contrary you should find that these two Gentlemen have been unjustly calumniated and that they are really qualified to discharge the duties of Syndics you are requested to re-appoint them. I shall expect to hear from you upon this Subject by the first convenient opportunity.

I am with Sentiments of due respect

your obdt. St.

(Signed) Wm. C. C. Claiborne

Mr. Edward Menillon

Commandant at the Rapids

¹ Claiborne held the attachments of the good sisters of St. Ursula to the end of his life, as is shown by many incidents of his public and private life.

To James Madison.

New Orleans 9th April 1804

Sir,

The Patroles on last night arrested twelve or fifteen Spanish Soldiers and Sailors who were lurking about the City probably with a design of deserting and they were on this morning delivered to a Spanish Officer.

The greater part of the Spanish Forces have this moment taken their departure for Pensacola, they were embarked on board of a Ship, and their numbers (including officers) amounted to about three hundred Men, there are yet in the City a company of Dragoons, and a detachment of infantry consisting of twenty five Men. The Dragoons are ordered to Mexico, and will set out (it is said) in a week or ten days. The detachment of Infantry remains as a guard for the Marquis, who is appointed by the King of Spain a Commissioner of limits, and will probably continue in Orleans, until further orders from his Court.

The inflammatory hand Bill which I enclosed in my letter of yesterday has not produced the effect intended, the Mass of the people in Louisiana are well contented with the change of Government and if left to themselves would remain a peaceable amiable people, but the Emigration from France and the West India Islands is considerable, many of the Emigrants are men of desperate characters, and revolutionary dispositions. Against the machinations of these incendiaries the chief Magistrate of Louisiana, must be on his guard.

At present, good order prevails in this City, nothing shall be wanting on my part to insure its continuation. My administration has hitherto been marked with extreme lenity, and not an individual has yet experienced the severity of the Law.

I anxiously hope that no occurrence may compel me to deviate from that mild and conciliating course which my disposition dictated, and my judgment Sanctioned, but should the occasion demand, I must exercise with some rigour the powers with which I am vested.

I am Sir very Respectfully

Your obdt. Sert.

The Honble.

James Madison

Secty. of State.

(Signed) Wm. C. C. Claiborne

To James Madison.

New Orleans 10th April 1804

Sir,

Tranquility continues to reign in this City and its vicinity. Mr. Laussat takes his leave of the Spanish Commissioners on this day; and the day after he proposes to pay his last visit to the American Commissioners. His departure therefore it is expected will take place in a few days. The Barracks evacuated by the Spanish Troops on yesterday have been put in our possession.

General Wilkinson returned on last evening from his visit to the Lake, and will probably take his passage for Philadelphia in seven or eight days.

Accept assurances of my Respectful consideration.

(Signed) Wm. C. C. Claiborne

The Honble.

James Madison

Secty. of State

To Antoine St. Amand

New Orleans, 13th April 1804

Sir,

Your Letter of the 1st of March relative to the dispute between the Free Negroe Woman Manon, and her neighbours upon the subject of her negligence in keeping up her fences ditches &c &c never came to hand, but in consequence of the complaints of Mr. Louis Fouché and others you are hereby required, after giving said Manon sufficient time to make the necessary reparations, should she still continue to refuse to do the same, to make Sale of her Lands, or take any other Step which justice and the ancient usages of the country will justify.

I have the Honour to be with Sentiments of Esteem
&c &c,

your obdt. Servt.

(Signed) Wm. C. C. Claiborne

Mr. Antoine St. Amand

Commandant of the 1st German Coast

To Laussat.

New Orleans, 13th April 1804

Sir,

I transmit you a Letter which was enclosed under cover of a communication to me from Captain Stoddart, and which I this moment received. Captain Stoddart is the Gentleman who was authorized to receive the Posts in upper Louisiana. I offer you my best wishes accompanied with assurances of my respectful consideration.

(Signed) Wm. C. C. Claiborne

Mr. Laussat

Commissioner of France &c

From James Madison to Gov. Claiborne.

Washington March 12th 1804
Department of State

Sir,

Your Letter of the 31st of January has come to hand. The information it conveyed respecting the importation of Negroes was communicated to Congress together with the letter it enclosed from Mr. Leonard.

The doubts which have arisen respecting the Ship from St. Domingo have relation as far as yet appears to two points – 1st Whether the Passengers ought to be permitted to come up to New Orleans? and 2nd whether they ought to be required to depart? The first ought to be regarded in relation only to the safety of the City from maladies which might be the consequence of their two ready admission, and to the Political security of the place as it might be affected by the presence of such a body of strangers under such circumstances. With this view therefore of the first point, it is not to be doubted that in the decision you may adopt, prudence will sufficiently guard the Public Interests which turn upon it, at the same time that every indulgence which Humanity and Courtesy require is extended to them, as far as those Interests permit.

On the second point, were it not for the turn your correspondence seems to have taken, with respect to the duties which the Neutrality of the United States impose, it would have been agreeable to await the communication of the Documents you intend to transmit: but as you appear to have conceived those duties as requiring a rigor not warranted by the Law of Nations, it is proper to communicate without delay the principles which ought to govern on the occasion.

The passage in Vattel to which you refer, contains an

ingredient not known to prevail in the case of this Vessel. Viz, that the Neutral Territory is not only as a place of refuge from the Enemy but that a second attack is meditated from it. If this last circumstance does not characterize the case in question, the passengers who are willing to retire in the Vessel in which they came, or in any other not armed or equipped in an American Port, are not to be prevented, or if they choose to disperse or Settle in the Country, they may be permitted to do so, as far as may consist with our own interior policy and safety, the Laws of Neutrality not forbidding such an indulgence. Permit me to refer you to the act of Congress of the 5th of June 1794 for the general provisions deemed proper by the Legislature to guard the Neutrality of the United States.

I have the Honour to be, Sir with great Respect,
your obdt. Sevt.

(Signed) James Madison

His Excellency
Wm. C. C. Claiborne

From Henry Dearborn to Gov. Claiborne.

Washington 9 March 1804
War Department

Sir,

I have the honour herewith to enclose your Excellency a proclamation by the President of the United States, extending a pardon to all persons who had deserted from the army of the United States and taken refuge in the Territory of Louisiana, previous to the 20th day of December last and were on that day Inhabitants of said Territory. I have to request that your Excellency will cause

said proclamation to be promulgated in such manner as in your opinion will be most Proper and expedient.

Accept Sir the assurances of my high respect and consideration

(Signed) H. Dearborn

His Excellency

William C. C. Claiborne

To James Madison.

New Orleans 13th April 1804

Sir,

On last evening I received your Letter of the 12 Ultimo. The difficulties with respect to the Ship from St. Domingo, have all passed by. The Correspondence between the Commissioners of the United States and Mr. Laussat, copies of which have been forwarded to you will inform you particularly as to that Vessel.

I must confess that my opposition to the approach of the passengers in the Brig Express to New Orleans arose from a fear, that those Strangers might interrupt the peace of our Society as you will discover by the Letters of the Commissioners. The Law of Congress to which you refer me, for the general provisions deemed proper by the Legislature, to guard the Neutrality of the United States shall be kept constantly in view, and permit me to add that any Special orders which may be given me on this Subject shall be executed with promptitude and to the best of my judgment.

The emigration from the West Indies apparently increases, there is now in the river a Vessel with one Hundred and fifty French passengers from Jamaica, some of

these Emigrants are doubtless worthy men but I fear a majority of them will be useless, if not bad Citizens.

Accept assurances of my respect & Esteem.

(Signed) Wm. C. C. Claiborne

The Secty. of State.

To Henry Dearborn.

New Orleans 14 April 1804

Sir,

I have received your Letter on the 9th Ultimo together with its enclosures. The humane Policy of the President in extending his Pardon to such deserters from the Army, as may have settled in Louisiana, will probably be the means of quieting the minds of some industrious members of Society, who I hope by a series of good actions, will make atonement for their former debased conduct.

I shall cause the Proclamation to be promulgated, and will give to the different Commandants particular information of its contents. The most perfect good order prevails in this City. The Troops I believe are Healthy, and in a good State of Subordination, but I presume on this Subject you will be particularly advised by General Wilkinson, who is still in Orleans but contemplates departing in a few days.

By Letters this moment received the Post of the Arkansas, has been delivered to Lieutenant Many and everything in that quarter is going on well.

Accept assurances of my respect and esteem

(Signed) Wm. C. C. Claiborne

The Honble.

Henry Dearborn

Secty. of War

To James Madison.

New Orleans 14th April 1804

Sir,

I now enclose you the answer of the Marquis De Casa Calvo to my Letter of the 28th Ultimo. Having obtained for my own use a translation of the Marquis's Letter, and the Documents accompanying it I have forwarded to you the original.

Accept assurances of my respectful consideration
(Signed) Wm. C. C. Claiborne

The Honble.
James Madison

To Laussat.

New Orleans 14 April 1804

Sir,

I have this moment received your Letter relative to the detaining at Fort Plaquemine the French privateer La Soeur Chérie. I will observe Sir, that the officer commanding at Plaquemines has received orders to permit no armed Vessels to pass the Fort, until the same be reported to me, and my permission for such passage is obtained. These orders were given subsequent to the arrival at this Port of the British Letter of Mark to which you allude and accounts for their having experienced no interruption.

Finding from the representations of Captain La fette, and also of the officer Commanding at Plaquemine, that La Soeur Cherie has put into the Mississippi in Distress, being in a leaky condition and short of provision, that Vessel will be permitted to proceed to New Orleans and

to obtain relief from her present distress. I mean as to provisions and the Stopping of the leak.

Accept assurances of my respectful consideration.

(Signed) Wm. C. C. Claiborne

Mr. Laussat

Commissioner of France &c

To Laussat.

New Orleans 14 April 1804

Sir,

I enclose you a duplicate Copy of my instructions to Captain Cooper relative to the Privateer La Soeur Cherie

Accept assurances of my Respectful consideration

(Signed) Wm. C. C. Claiborne

Mr. Laussat

Commissioner of France &c

To Wm. Cooper.

New Orleans 14th April 1804

Sir,

It being understood that the French armed Schooner La Soeur Cherie, detained at Plaquemine has put into this river in Distress being in a leaky condition, and short of provisions She may be permitted to pass the Fort and proceed to New Orleans for the purpose *only* of obtaining relief from her present distress, I mean as to supply of provisions, and the stopping of the leak.

I am Sir with Respect

Your Obdt. Svt.

(Signed) Wm. C. C. Claiborne

Captain Wm. Cooper

Commanding at Plaquemine

To Laussat

New Orleans 14th April 1804

Sir,

At the moment of closing my Letter of the Morning I received advice from Capt. Cooper, that he had detained at Fort Plaquemine, the English Schooner *Ann* from New Providence mounting two guns.

I make you this Communication, in order to convince you that the orders "as to the detaining at Plaquemine all armed Vessels until my permission for their passing that Fort" is obtained are strictly and impatiently executed.

I renew to you the assurances of my respectful consideration

(Signed) Wm. C. C. Claiborne

Mr. Laussat

Commissioner of France &c &c

To William Cooper.

New Orleans 14th April 1804

Sir,

It being understood that the English Vessel *Ann* Mounting two Guns detained at Plaquemine as a Merchant Vessel, manned only with seven Men, and bringing to the Market of New Orleans a Cargo of Salt, she may be permitted to pass the Fort.

I am Sir Respectfully
your obdt. Servt.

Captain Wm. Cooper
Commanding at Fort Plaquemine

To James Madison.

New Orleans 14 April 1804

Sir,

I this morning received information from the Officer Commanding at Plaquemines, that he had brought to, opposite the Fort, a French Privateer of five Guns, and added that the Vessel was in a leaky condition and in want of provisions. Shortly thereafter I received from Mr. Laussat a Letter upon the Subject, a Copy of which No. 1 is enclosed, to which I returned the answer No. 2 and gave the orders No. 3.

Immediately after applying to Mr. Laussats letter, I was advised that a British armed Schooner of two Guns was also detained at the Fort upon which I addressed to Mr. Laussat a Note of which No. 4 is a Copy, and after receiving (as I supposed) correct information as to the British Vessel, I gave to the officer commanding at Plaquemine the instructions No. 5. At the moment of closing my Letter, I received from Mr. Laussat the communication No. 6.

Accept assurances of my great Respect.

(Signed) Wm. C. C. Claiborne

The Honble.
James Madison
Sec. of State

To Laussat

New Orleans 14th April 1804

Sir,

I have the honour to transmit to you a packet which came under cover of a Letter to me, from Lieutenant Many of the United States Army, and which I this

moment received. Lieutenant Many is the Gentleman who was vested with authority to receive possession of the Post and District of Arkansaw.

Receive my best wishes for a continuance of your Health & happiness

(Signed) Wm. C. C. Claiborne

Mr. Laussat
Commissioner of France &c

Address from the Scholars of the Abbé Roland's Academy.

Delivered in the Government House on the 15th April
1804

We the Children of Men, who emerging by the Will of the Omnipotent from a State they were obliged to Submit to, have the invaluable advantage of becoming the Brothers of a Gallant, liberal and Magnanimous people, who looking up to Heaven as the only Source of their rights, did not claim them from the promises of Kings, but from the benevolent Parent of the Universe.

We beg leave to approach your Excellency in order to congratulate you, or much rather ourselves for finding in your person a Statesman of sound understanding and amiable virtues who will be an eye-Witness of the high estimation in which our Fathers, our Fellow Citizens, and ourselves, hold the privileges of becoming a constituent part of the Body of a Gallant People, who acquired their Freedom, at the the expense of their blood

We will shed our own to the last drop for the maintenance of that precious liberty, and as a proof of the Sincerity of the promises we now Solemnly make in your Excellency's presence, we have decorated our persons with

¹ Another indication of Claiborne's interest in education.

the American Eagle. The Eagle is the premium of our Juvenile Labours in endeavouring to acquire a knowledge of Literature so much recommended in your Excellent Speech of the 20th December last.

May your Excellency Live long enough among us to Witness the Sincerity of our devotion, and Submission to a Government the most Sublime Mankind could ever frame.¹

To which his Excellency was pleased to Make the following Reply— to M. L'Abbé Roland
Sir,

Have the goodness to communicate to communicate to your Scholars, "the pleasure I experienced in receiving a visit from so many amiable and promising youths, and my Sincere desire that they may become useful and worthy members of Society. Be so obliging as to add that it is by their merit only, they can hope to attain future respectability, and that by a due attention to their Studies and moral conduct, they may look forward with confidence to the highest honours in the power of a Free Nation to bestow and thus become the pride of their parents, their friends and their Country."

I was pleased to observe as the pledge of their fidelity and attachment to civil freedom, their persons decorated with the Eagle. It is a Symbol dear to the Americans their Brothers, who fought for Liberty, and remains, the badge of their Victory in that glorious struggle. I take this opportunity to offer you Sir my best wishes for the prosperity of your Academy. The care of the Morals and Education of youth is an important trust; and those who discharge it with fidelity; deservedly hold a high rank in every free and well governed community. If I

¹ The good feeling of the French population for the United States and its people found expression through their children in this manifestation of love for the new government.

have a favorite wish it is to see Science rear her Lofty head throughout United America. I wish it because I am fixed in the persuasion, that the general diffusion of knowledge through a country is the best friend and Safe-guard of a people's rights, and the greatest security for the permanence of their Liberties and the promotion of their happiness.

I am Sir with great Respect

Your obdt. Sevt.

(Signed) Wm. C. C. Claiborne

New Orleans 1804

Mr. Thomas Villaneuva.

New Orleans April 17th 1804

Sir,

I have the Honour to acknowledge the receipt of your Letter of the 28th Ultimo relative to the Complaint of Gaspard placentia an Inhabitant of your District against the wife of Lawrence Acosta, for Scandalous expressions against the Family of said Placencia by the wife of said Acosta. You are hereby required to take all the necessary Steps to investigate this dispute and to use every means in your power to bring about a happy and friendly reconciliation, by urging the party in fault to make proper concessions. If this cannot be done however and you find upon examination that the charges against the said Acosta's Wife be just, you are to oblige her to make reparation to Mr. Placencia's family by such concessions as you may think proper and Sufficient, and in case of her refusing so to do, you are at liberty to fine her in any sum not exceeding one Hundred dollars, and to oblige her to give bond and sufficient security for her good be-

haviour during the space of six months and in case of refusal to give such security she and her Husband shall be condemned to pay immediately the sum of one Hundred dollars.

I am Sir with Sentiments of Respect and consideration
your obdt. Sevt.

(Signed) Wm. C. C. Claiborne

Mr. Thos. Villaneuva

Commandant dans la Fourche De Chatimachas

To Gen. Wilkinson.

New Orleans 18th April 1804

Dear Sir,

I have been authorized by the Secretary of War to present the Battalion of Free Mullato's with a stand of Colours, and in order to prevent a jealousy among the other Corps of Militia, I find it indispensable to present the Orleans Volunteers, and the City Regiment of Militia each with a Standard. I discover that it will be attended with expense to procure these Standards in this City, and much delay, to avoid the first but more particularly the Latter, which will tend to retard the organization of the Militia, I beg General that you would spare me one of the standards belonging to the late 4th United States Regiment, and which is now unused in your army.

If you should do me this favour and the Secretary of War should wish a return of the Standard, it shall be delivered to his, or to your order, but I flatter myself, the Secretary will not be disposed to reclaim it.

Permit me to inform you General that I shall commit this Flag to the Orleans Volunteers and I persuade myself it will be guarded with courage, and when the occa-

sion demands will witness achievements honorable to our country.

I am Sir, very Respectfully

your obdt. Sevt.

(Signed) Wm. C. C. Claiborne

General James Wilkinson

To Peter Sigur.

New Orleans 19th April 1804

Sir,

There being at Present no commandant in your District you will take cognizance of the Matter in dispute between Joseph Orillon, and John Charles Camau, and do on the occasion, that which may appear to you to be just.

I am Sir Respectfully

your obdt. Sevt.

(Signed) Wm. C. C. Claiborne

Peter Sigur Esq.

Syndic of Iberville

New Orleans 19th April 1804

To the Mayor and Municipality of New Orleans

Sir,

Having received a Letter on the 17th instant from Mr. De La Hogue containing his resignation as Secretary of the Municipality I have to request you to nominate a person whom you may deem qualified to discharge the duties of that office and to assure you that he shall receive the appointment.

I have the Honour to be with Respect and consideration.

your obdt. Sevt.
(Signed) Wm. C. C. Claiborne

Mr. Boré Mayor

New Orleans 19th April 1804

To the Mayor and Municipality of New Orleans
Sir,

Having determined upon an immediate reorganization of the Militia of New Orleans, and it being necessary to the accomplishment of this important object to ascertain the number of persons capable of bearing arms, I have to request your Council to cause to be taken a correct census of all the free male white inhabitants of this City between the ages of eighteen and forty five and to report the same to me.

Relying with confidence on the exertions and aid of the Municipality in all measures for the general good.

I have the Honour to be with considerations of respect

your obdt. Sevt.
(Signed) Wm. C. C. Claiborne

Mr. Boré Mayor

To Francis Rivas.

New Orleans 20th April 1804

Sir,

I have the Honour to acknowledge the receipt of your favour of the 14th instant relative to the nomination of a Commandant to succeed you in the District of Iberville, and have to observe that Mr. Francis Connel is named to

that office and will by this opportunity receive his commission.

You are therefore requested to deliver to him all the papers and other documents appertaining to the District. Your Letter of the 20th Ultimo never came to hand.

I am Sir with Respect and consideration

Your obdt. St.

(Signed) Wm. C. C. Claiborne

Francis Rivas

late Commandant of Iberville

To Joseph L. Andry

New Orleans 20th April 1804

Sir,

A number of persons have made application to me concerning Debts due to them from the Estate of Heskiah Rus Deceased, and it appearing, that this man died in your District during the time that Mr. Croquer was commandant of the same you are requested to take the necessary Steps to examine into the situation of the Estate of Said Rus and should it be found that he left any monies or property of any kind, you will appropriate the same to the payment of his Lawful Debts, and in general to do everything relative thereto that justice may require.

I am Sir with due Respect

Your obd. St.

(Signed) Wm. C. C. Claiborne

Mr. Joseph L Andry

Commandant of the 2nd Acadian Coast

To Henry Dearborn.

New Orleans 20th April 1804

Sir,

In conformity with my advice Joseph Chambers, United States Factor for the Chactaw Nation, has shipped a quantity of Peltry for Philadelphia (via New Orleans). On the passage of the Peltry down the Mobile River a duty was demanded by the Spanish Government at the Town of Mobile and which Mr. Chambers paid not however without entering a Protest against the proceeding, a copy of which I now enclose you.

Some provisions sent by the Contractor from this City to Fort Stoddart, were also detained at Mobile until a duty of 12 Pct was paid thereon: duties are also exacted on all exports passing down the Mobile, and paid very reluctantly by our Citizens.¹

The Spaniards are fortifying Pensacola, and the Town of Mobile, at the former place there is to be stationed five or Six hundred Men, and at the Latter a Battalion of Artillery and one Company of Dragoons, are now employed.

General Wilkinson will leave this City for New York in three or four days, he takes his passage on Board the Ship Louisiana. Every thing is tranquil in Orleans.

With Respect and Esteem
your obdt. Sevt.

(Signed) Wm. C. C. Claiborne

The Honble.
Henry Dearborn
Secty. of War

¹ This action on the part of the Spanish authorities was one of the chief causes of the movement which resulted in the loss of the Floridas by Spain.

To James Madison.

New Orleans 21st April 1804

Sir,

I have nothing Interesting to communicate, nor would I write you by this Mail, were it not to inform you that the most perfect good order prevails in this City. I find the most trifling occurrences here attract attention to the Northward, and that a disposition exists among some people to give to certain events a consequence they do not merit. To prevent therefore Misrepresentations I have thought it proper to write you by every Mail.

Mr. Laussat it is said will leave this Port in the course of the day on his passage to Gaudaloupe but the period of his departure, and place of destination are not certainly known. My Letter to the Secretary of War, which goes by this Mail will acquaint you with the State of things on the Mobile.

General Wilkinson will sail tomorrow or next day for New York on Board the Ship Louisiana.

With Respect and Esteem I am Sir

your obdt. Sevt.
(Signed) Wm. C. C. Claiborne

The Honble.
James Madison
Secty. of State

To Cato West.

New Orleans 21st April 1804

Dear Sir,

I enclose you a Bond which has been forwarded to me, by Theodore Brightwell Sheriff of Washington County.

The Spanish Officers on the Mobile have lately exacted and received duties on goods of the United States passing from Fort St. Sephens to New Orleans, and on provi-

sions destined to Fort St. Stoddart. These proceedings will tend to settle the claim of the United States to West Florida or rather to bring it to a Speedy issue. Good order prevails in Louisiana and the Government progresses much better than I had anticipated.

Some of the late Emigrants are dissatisfied with the change, and have manifested turbulent restless dispositions, but the great Mass of the people are pleased with their present political relations, and I believe their genuine character to be amiable. Mr Laussat will leave this City in the course of this day, he is destined it is said to Gaudeloupe. General Wilkinson sails for New York tomorrow or next day.

With Respect and Esteem
your obdt. Sevt.

(Signed) William C. C. Claiborne

The Honble.

Cato West Secty. of the Mississippi Terrty.

To Thomas Villaneuva

New Orleans 23 April 1804

Sir,

Mr. James Owens has presented himself to me, declaring that he has for some months past kept a Ferry across the Lake Venett, and that he wishes permission to continue the same. You are hereby requested to take the subject into consideration, and should you find it necessary to keep up the said Ferry, and that the said James Owens is qualified for that employment you are authorized to give him a License.

With Respect I am Sir
your obdt. Sevt.

Mr. Thos. Villineuva (Signed) Wm. C. C. Claiborne
Commandant Dans la fourche De Chatimachas

Address from the Citizens of Wilkinson County in the Mississippi Territory

To His Excellency Wm. C. C. Claiborne Governor of the Mississippi Territory exercising the powers of Governor General and Intendant of the Province of Louisiana.

An Officer of high trust and confidence, whose efforts have ever tended to promote the General Welfare, is entitled to the grateful thanks of his Fellow Citizens.

The Inhabitants of the County of Wilkinson therefore pray your Excellency to accept their fullest approbation, of wise and virtuous measures of your late administration, in the Mississippi Territory and assurances of the firm Support which is due from a Patriotic Community to a public Functionary whose only object is the happiness of the people.

The Simplicity of manners and dignified conduct observed by your Excellency in discharging the important trust of Commissioner on the part of the United States for receiving the Province of Louisiana, will remain a lasting monument of Honest fame not to be resisted by the breath of faction.

We offer your Excellency our Sincere congratulations on the fidelity with which our adopted Brethren, embrace the principles of the American Government; the record of this transaction must be a Source of the highest felicity to every philanthropic heart, and the meritorious officer who witnessed the sudden transition, and by the exercise of Sound Philosophy checked the rising impulse of opposition will be duly appreciated by every Citizen of America. Should the President of the United States require a continuation of the aid of your Excellency in the high Station, you now fill, we shall earnestly regret (the loss) thereby sustained in this Section of the union.¹

¹ Claiborne was popular in Mississippi Territory, as his administration as governor had been a great success.

But to whatever Situation your Excellency may be called by the General Government we pledge to you our high esteem.

March 18th 1804

To which his Excellency the Governor made the following Reply.

To the Inhabitants of the County of Wilkinson in the Mississippi Territory

Fellow Citizens

Your friendly and respectful address could not fail to awaken in a grateful Breast, the most pleasing Sensations. In the course of my administration in the Mississippi Territory, my only object being the general welfare, I relied with confidence on the support of a generous people: Your approbation therefore is received with sincere thanks, and viewed rather as a testimonial in favor of my good intentions, than of useful public Services.

I reciprocate with Sincerity your congratulations on the present happy tranquility of Louisiana, and be assured there is nothing I more ardently desire than to see our new Brothers *universally* attached to the principles, and the perpetuity of their Union with the United States, the first object of their Political affections.

I am particularly indebted to you Gentlemen for the Interest you take in my future destiny, and permit me to declare, that in whatever situation I may be placed, whether of a public or private nature I shall cherish a lively recollection of the Honour you have done me, and Sincere wishes for your prosperity and happiness.

(Signed) Wm. C. C. Claiborne

New Orleans 23rd April 1804

To Mayor Bore.

To the Mayor and Municipality of New Orleans
Sir,

I have the Honour to acknowledge the receipt of your favour of the 21 instant and to express my thanks for the lively interest you take in the public welfare which is manifested not by expressions alone but by actions. The Subject of your Letter is certainly of high importance to the Safety and prosperity of our country; I beg you therefore to be assured of my cheerful and prompt co-operation on the occasion.

With the view of remedying the evils to be apprehended from the improper introduction of Slaves and other people of Colour from the Islands, I had thought it sufficient to cause all persons of this description to be stopped at Plaquemines until they obtained my permission to ascend the River. Finding however from your communication that these Means have not been adequate to the object in view, and notwithstanding all my Vigilance some improper and dangerous persons have been introduced into the Country I shall avail myself of your proposition for additional precautions: therefore no person shall introduce Negroes into Louisiana of any description whatever, until they have first been stopped, by the Commandant of Plaquemine who shall forward to me a list of their number and if after the declaration of the owner I shall think proper to let them come up to the City, the owner thereof or the Captain of the Vessel shall be obliged to detain them on Board until their arrival here, when they shall be visited by two persons named for that purpose, one of whom shall be the Physician of the Port and the other a member of the Municipality to be named by the Mayor, with Respect to those dangerous

Negroes already introduced into Louisiana should I be able to discover them I will direct measures for their Speedy removal.

I beg you to accept the assurance of my esteem, and the considerations of respect with which I have the Honour to be

Mr. Boré
Mayor

(Signed) your obdt. Sevt.
Wm. C. C. Claiborne

To Capt. Davis.

New Orleans 25th April 1804

Sir,

You will immediately visit the French Privateer that arrived this morning and ascertain the number of guns and Men she has on Board, and as far as it practicable, the particular injury she has sustained from the tempest which is said to be the cause of her seeking an assylum in this Port. This Privateer is positively forbid to augment her Cannon, arms or any implements of War in Louisiana; or to increase her crew by enlisting any Citizen of the United States, or any person who now is, and was an inhabitant of Louisiana previous to the 30th of April 1803. Acts of this kind are public offences and I shall punish with all the severity authorized by the Law the persons who commit them. You will therefore watch the motions of this Privateer and acquaint me of any improper conduct.

I am Sir very Respectfully

Your obdt. Sevt.

Captain Davis
Harbour Master

(Signed) Wm. C. C. Claiborne

To Capt. Boyer.

New Orleans 25th April 1804

Sir,

I regret making of you any request which may tend to increase the duty to be performed by the few Regular Troops under your command: but for the purpose of committing to a confidential bearer the several orders, which in my official Character I am obliged daily to give to some of the Civil or Militia Officers of this City it will be a great accomodation to me if you would detach for duty (as heretofore) at the Government House, and Orderly Sergeant.

I am Sir with Respect and Esteem
your Obdt. Servt.

Capt. Boyer (Signed) Wm. C. C. Claiborne
Commanding the United States Troops at New Orleans

An Ordinance

To alter the times of holding the Court of Pleas in and for the City of New Orleans, and the better to regulate and define the powers thereof and of single Magistrates in relation to contempts.

By William C. C. Claiborne Governor of the Mississippi Territory exercising the powers of Governor General and Intendant of the Province of Louisiana.

Be it ordained that, in lieu of the Weekly Sessions of the Court Pleas in and for the City of New Orleans heretofore directed; the said Court shall sit once only in each Month, that is to say, on the first monday of each month and by adjournment from day to day until the whole of the business of the Term shall have been dispatched, or the Court shall have sat on three days Successively, when it shall be adjourned to the Next month.

And be it further ordained, that all writs now in the hands of the Sheriff returnable to the said Court before the first monday of the next ensuing Month Shall be returned to the Court to be then holden, and that all writs in like manner returnable on any day Subsequent to the said first monday of the next ensuing Month, shall be returned on the first Monday of the month afterwards thence next ensuing, without prejudice of error or otherwise, to any party.

And be it further ordained that persons offering any contempt to the said Court, may be immediately punished by the Authority of the same, by a fine not to exceed Fifty dollars and imprisonment for not more than forty eight hours, and that a like contempt offered to a single Magistrate in the execution of his duty may be in like manner by him punished by a fine not exceeding twenty five dollars, and imprisonment for not more than twenty four Hours.

Given under my hand and the Seal of the administration at the City of New Orleans the twenty Seventh day of April 1804, and in the 28th year of American Independence.

[L. S.]

(Signed) Wm. C. C. Claiborne

To Thomas Jefferson.

New Orleans 27th April 1804

Sir,

At the particular request of Peter Pedisclaux, a Recorded of Mortgages, and a Notary Public in this City, I take the Liberty to forward to you, the enclosed Petition and the Documents accompanying it. On my Arrival in this City, I found the offices of Mr. Peter Pedisclaux shut, and himself invested with no appointment under the administration of Mr. Laussat the Colonial Prefect.

Mr. Pedisclaux was an early applicant for office under my administration, and Stated his high pretensions to favour from his former faithful services, his large family, and his former purchase of employment. I soon found however that Mr. Pedisclaux's Services had not been very meritorious in the opinion of all the Society, for some of the most Respectable Citizens here, among whom were some Members of the Municipality represented him as unworthy of my confidence, and stated that his Public conduct had heretofore been marked with great impropriety.

For some days, I was undetermined in what manner to dispose of Mr. Pedisclaux's applications, at last however from the great interest which the Spanish Officers took in his favour as also several respectable Citizens of this place, who represented him as a worthy capable man, and the Head of a large family I appointed him a Recorded of Mortgages, and a Notary Public offices of some profit and particularly the Latter which is much sought after.

The Office of Auctioneer formerly enjoyed by Mr. Pedisclaux, I conferred on another Citizen, under the impression that a Monopoly of Offices was unjust, impolitic and contrary to the genius of our Government. If Mr. Pedisclaux's right to office be established from the consideration of a former purchase, similar claims will probably be set up by other persons who were formerly in office in this Province.

My own opinion is, that Mr. Pedisclaux already holds as lucrative offices under the present Government as his merits entitle him to.

With Sentiments of the Highest Respect— I have the Honour to be
your obdt. Sevt.

Thomas Jefferson
President of the United States

(Signed) Wm. C. C. Claiborne

To James Madison.

New Orleans 28th April 1804

Sir,

The French Privateer mentioned in my Letter of the fourteenth instant has just arrived at this Port. I enclose you a Copy of the report of Doctor Watkins relative to this Vessel, and also of my instructions to the Harbour Master.

General Wilkinson sailed for New York on this Morning on Board the Ship Louisiana.

It is understood that Mr. Laussat took his departure on Saturday last, and was destined for Guadeloupe.

I am Sir very Respectfully your most obdt. Servt.

(Signed) Wm. C. C. Claiborne

The Honble.

James Madison

Secty. of State

From Thomas Jefferson to Gov. Claiborne.

Washington March 18th 1804

Dear Sir,

It is understood that under the former Government of Louisiana there was an appeal in Judiciary Matters from the Governor to the Governor General at Cuba. The writer of the enclosed probably presumed that this was now to the President of the United States.¹ This is an error. No Authority has as yet been constituted paramount to that of the Governor. While such is the situation I have thought it best in such cases to remand the cases to yourself for a second consideration in the nature

¹ A petition bringing a local matter to the attention of the President explained in the letter following.

of a Bill of review. So that instead of the Party's right to appeal to another Authority, will be substituted a right of reconsideration by the same. In this case the remanding is to be considered as a measure of course, and is not conveying in the slightest degree an opinion or even a Suspicion that there is error in the first proceedings. With this view I now send you the enclosed papers, and only desire that your ultimate decision may be communicated to the party with such a Statement of the grounds of decision as, if he be reasonable, ought to be satisfactory to him.

The House of Representatives yesterday passed the Louisiana Bill, with an amendment which is now to go back to the Senate. It provides for an early admission of Representative Government in the State of Orleans, and an annexation of the residue of Louisiana to the Indiana Government, the dividing line is the parrallel of Latitude 10 Miles North of Natchitoches. The law commences six months hence and till then the present Government continues. I think the Bill will pass the other House in nearly this form.

Accept my Friendly Salutations and Assurances of great Esteem and Respect.

(Signed) Th^t: Jefferson

Governor Claiborne

To Thomas Jefferson.

New Orleans 1st May 1804

Dear Sir,

I had the Honour to receive yours of the 18th of March concerning the complaint of Mr. Baudin whose goods were Seized in execution at the suit of Mr. Labie, and I pray you to accept my thanks for this additional proof of confidence which you are pleased to repose in me.

I have already announced to the Department of State the Establishment of a Court for the dispatch of Judicial business in New Orleans in all suits brought for sums of three Thousand dollars and under. The justices of that Court were selected, to the best of my judgment and information, from among the most intelligent and respectable inhabitants of the City and its Vicinity. The forms of proceedings I in a great measure left to their own discretion, convinced that they would adopt such as would be most consistent with equity and the convenience and habits of the Citizens; and I was not displeased to find that they dispensed with much of the routine which seems to have been practised in the Spanish courts for the mere purposes of delay and favour, and excessive accumulation of costs.

It is stated to me that the suit in question was brought for the recovery of one thousand dollars, money actually lent, and interest thereon. Mr. Baudin the Defendant was summoned to appear, but neglecting to do so, the cause was heard *ex parte*, Judgment went against him, and his property was seized by order of the Court, I believe in the manner in which he represents.

While the execution was pending Mr. Baudin Solicited me to arrest it, alledging that the proceedings against him were informal: but as he did not deny the Debt, or Suggest any Substantial merits on which a defence could be grounded, I was unwilling to interfere with the judgment of the Court, and Suffered the execution to proceed, only taking care that the privileges of Mr. Baudin as a Sugar Planter, under the laws of the Indies should not be violated. Those Laws as I understand them, exempt from the common process of execution all sugar works, and lands employed in the cultivation of Cane, together, with all Slaves, Cattle and implements actually used in raising and manufacturing Sugar: But it has been, as I am told, the usage here that, Sugars when made, as well as

the other property of the Planter are liable, as in common cases, to be seized for the Satisfaction of Judgments obtained against him. The Seizure was I believe, correctly levied, and the suit was afterwards compromised previous to a Sale.

Agreeably to your wish, I will communicate to Mr. Baudin and his Creditors (for he has since become a Bankrupt) your receipt of his Petition, and instructions thereon, together, with the reasons of my opinion in his case which I hope may be Satisfactory.

With Sentiments of great Respect and Sincere Esteem I have the Honour to be your most obdt. St.

(Signed) Wm. C. C. Claiborne

Thomas Jefferson

President of the United States

To Mayor Bore.

New Orleans 2nd May 1804

To the Mayor and Municipality of New Orleans

Sir,

I have the Honour to acknowledge the receipt of your Letters of the 5th, and 28th Ultimo. In reply to the first I have to observe that, your regulations respecting dogs appear to me well calculated to remedy the evils to be apprehended from the great number of those animals which at present infest our City, and therefore meet my entire approbation. Your Letter of the 28th Ultimo shall be attended to in due time.

I am Sir with great Respect and consideration your obdt. Servt.

(Signed) Wm. C. C. Claiborne

Mr. Boré

Mayor

From James Madison to Gov. Claiborne.

Washington February 6th 1804
Department of State

Sir,

Your several Letters of the 17th, 20th and 27th December and 2nd January have been successively received. They were not acknowledged from time to time, as they came to hand, because instructions from the President having been fully given on the subject of obtaining possession of Louisiana, it only remained to learn the result of your proceedings and to communicate his Sentiments thereon. These are contained in the enclosed Letter of this date to yourself and General Wilkinson. Your last Letter of January has been put into the hands of the Secretary of the Treasury, that he may take whatever measures he may think proper on the subjects within his Department. Enclosed is a copy of the Bill for the Government of Louisiana, now depending before the Senate. Several alterations have been already made in it, and it is possible, that others may be made, if not in the Senate, in the House of Representatives, through which the Bill has yet to pass. No Conjecture can be formed of the time at which it will be finally decided. The Novelty and the nature of the Subject, which has given rise to the past delay in one House may be expected to have considerable though probably less effect in the other, where the Members must individually have had the Subject under consideration. As soon as the Bill shall have become a Law, no time will be lost in transmitting it to you.

With great respect I am Sir

Your most obdt. Servt.

(Signed) James Madison

Governor Claiborne

From James Madison to Gov. Claiborne.

Washington April 2nd 1804
Department of State

Sir,

Since my last I have received your Letters on the 4th, 6th, and 13th February and that of yourself and General Wilkinson dated on the 7th, and 14 Feby enclosed you will receive two copies of an Act of Congress passed on the 26th Ultimo erecting Louisiana into two Separate Governments¹ and continuing the present temporary Government until the 1st October next.

The disturbance at the assembly Room on the 22nd of January had been communicated by Mr. Pichon with several particulars of a nature to create anxiety but the impression is certainly removed by the different aspect given to that occurrence by the depositions which you have enclosed. As after the delivery of the Province its police devolved upon the American Functionaries, and as Mr. Laussats authority could not afterwards extend to events and persons not immediately connected with his mission, the correspondence which you held with him respecting the express was a politeness on your part, which ought not to have led to the irritation manifested on his. Whatever in the view you took of your duty in relation to the essential features of the transaction may not have corresponded with the opinion of the President will doubtless have been corrected as far as possible on the receipt of my last.

The adjournment of Congress took place on the 27th. In addition to other provisions for the accomodation of the people of Louisiana, one hundred copies of the Laws of the United States are to be purchased and distributed

¹ The act of March 26, 1804, was not popular with the French on account of the division of Louisiana and restrictions on the slave trade.

therein, and in future it is to have a proportion of the 10,000 copies printed at the Seat of Government for distribution. In consequence of the same Law I shall next week enclose copies of the Laws of the last Session, requesting you to engage a proper person to print them in his Gazette.

I have the Honour to be Sir with great Respect your most obd. St.

(Signed) James Madison

Governor Claiborne

To James Madison.

New Orleans 3 May 1804

Sir,

On last evening I had the Honour to receive your Letters of the 6th of February and 2nd of April. The delay of the first I cannot account for, nor do I know what has become of the communication to General Wilkinson and myself, which was said to be enclosed therein. On opening the Packet the Letter referred to was missing. This induced me to examine the Wafers, there were no apparent marks of violence, and if the Seal had been broken it was managed with much address.

That some of your Letters to me have designedly been delayed on the passage and their contents examined is a fact I am well assured of, but where the abuse is committed I know not.

The Law for the Government of Louisiana will not be Satisfactory to all the Citizens. Many of the old inhabitants had expected immediate admission into the Union, and the Law does not hold out the means of gratifying the Ambition of Some of the late adventurers from the

United States. Complaints therefore upon this Subject will be made. For myself however I do firmly believe that the constitution temporarily prescribed is well adapted to the present Situation of Louisiana, and if previous to the expiration of the Law it should be discovered, that a Government managed more immediately by the people would better conduce to their happiness and prosperity, there can be no doubt but Congress will with promptitude and pleasure make the necessary provisions. I am fearful that the ten thousand Dollars fund will Scarcely meet my necessary expenditures until the 1st of October.

The Business of my office is so considerable that I have been necessitated to engage two Clerks at fifty dollars each Per Month, and it is probable I shall soon be compeled to employ a third. The services of an interpreter I have also found indispensable. His compensation is sixty dollars Per Month. The Expense of printing is becoming considerable, for, to give satisfaction, and to do justice to the Citizens I have found it necessary to publish my ordinances in the French as well as the English language. There are many other incidental charges that I am Subjected to and which will in time amount to Something considerable. I however shall incur no unnecessary expense and I flatter myself that my disbursements will be found to be within the bounds of a prudent economy.

Letters from the first Civil Commandant of upper Louisiana Captain Stoddart announce to me, that certain expences have necessarily been incurred by him and of which he had advised the Secretary of War. I therefore hope the Secretary has taken the Subject into consideration, and given such directions as may relieve me from any responsibility. Late communications from the different Commandants in lower Louisiana, represent that

everything is quiet, and I can assure you the utmost Harmony prevails in this City.

I am, Sir very Respectfully

your obdt. Sevt.

(Signed) Wm. C. C. Claiborne

P S Your Letter to me, dated October 31st contains the following Paragraph. "No particular provision is yet made as compensation for the new Service in which you are to be employed. The President authorizes you for the present to draw on the Department of War, at a rate not exceeding four Hundred dollars Per Month to be computed from the commencement of your journey to New Orleans." I was of opinion, that, the ten thousand dollars (during the temporary Government) would have been sufficient to meet all the contingent expences, and my extra Compensation beside. I have therefore (heretofore) drawn from that fund my four hundred dollars Per Month, thinking that it would not be disagreeable to the Executive: But if I find that the ten thousand dollars, will not bear me out, I shall draw up on the Secretary of War for the amount of my extra compensation, and carry the same to the contingent Fund, which will then I think answer all my demands.

I have extended my extra compensation to the sum limited by the President, because without extravagance I have expended the whole of it, and my Salary as governor of the Mississippi Territory besides. My expences have been greater than they otherwise would have been from the necessity there was in providing furniture for the Governor House, which in this City I have found very dear.

(Signed) Wm. C. C. Claiborne

The Honble.

James Madison

Secty of State

To Antoine St. Amand.

New Orleans 3 May 1804

Sir,

Mr. Frs. St. Martin one of the Syndics of your District having presented himself before me with a complaint of having been insulted a few days past in the House of Jean Louis Betsom by Jean Louis Malliar at a time when he was using his Authority to make some turbulent persons keep the peace, I have to request you to cause the said Malliar to appear before you, and if upon examination you find that Mr. St. Martin was improperly treated you are hereby required to inflict such punishment upon the said Malliar as in your judgment (and agreeably to the usages of the Country) he may have merited.

I have the Honour to be with Respect

your obdt. Sevt.

(Signed) Wm. C. C. Claiborne

Mr. St. Amand

Commandant of the 1st German Coast

To Miguel Cantrell

New Orleans 3rd May 1804

Sir,

A Complaint having been made to me by Bonaventure Babin in which he alleges that, his neighbours Pierre Michel and Alexr. Pico are in the habit of injuring his property by cutting down and destroying his Cypruss Swamp without his permission, you are requested to call the parties interested before you, and to use your exertions to bring about a reconciliation between them and to

render that justice which the nature of the case requires.

I have the Honour to be with due Respect your
obdt. Sevt.

(Signed) Wm. C. C. Claiborne

Mr. Cantrell

Comm. 1st Acadian Coast

To Francis Connell

New Orleans 3rd May 1804

Sir,

Enclosed you will receive all the Papers relative to a dispute between Nicholas Orion and Louis Camoro concerning the exchange of their horses, and you are required to examine into that affair with attention, and to decide between the parties with justice. You are further required to call before you Michael Brun and Donato Ever securities for a Debt due to John Arman by James McAlpine and endeavour to settle their dispute in an amicable manner, so as to avoid the delays and expences of going to law.

I am Sir with Sentiments of Respect

your obdt. St.

(Signed) Wm. C. C. Claiborne

Mr. Francis Connell

Commandant of Iberville

To Major Rd. King

New Orleans 3 May 1804

Sir,

Your Letter of the 26th April was duly received and enclosed in a License for you to trade with Such Indians as may visit the Post of Ouachitas.

I wish the Ouachitas Springs may serve to restore

your Health, and if during your journey in Louisiana you should acquire any interesting information as to the Geography natural productions &c of the Country, I would thank you to communicate the same to me.

I am Sir very Respectfully

your obdt. St.

(Signed) Wm. C. C. Claiborne

Major Rd. King
Near Natchez

To Henry Dearborn.

New Orleans 5th May 1804

Sir,

The Marine Corps under the Command of Captain Carmick arrived here, last evening apparently in good Health, and were this morning Marched to the Barracks. I have had no late intelligence of Colonel Freeman, the Army here is at present in a good State of Discipline, and I hear of no complaints from the Citizens. The Battalion of Orleans Volunteers is a respectable Corps, and I hope soon to have a good Militia. Every thing is tranquil here.

With Respect and Esteem I am Sir
you obdt. Sevt.

(Signed) Wm. C. C. Claiborne

P S I drew a Bill upon you some time ago, in favour of Louis Kerr, for one Hundred dollars, and I now enclose you his receipt for that amount.

Wm. C. C. C.

The Honble.
Henry Dearborn
Secty of War

To Albert Gallatin

New Orleans 5th May 1804

Sir,

On the 25th March I forwarded to you an account of my expenditures. A Statement of the expences I have incurred since that period, and the vouchers to support the same, I now have the Honour to transmit. You will find that the charge for printing is considerable and it is not in my power to render it less. The expense of living is heavy House Rent exorbitant, and the price of labour high. To these causes may be attributed the apparent extravagance of the Printers Bill.

You will find a large balance against me, but I have only to repeat that this sum I have used on account of my extra- Compensation which at four hundred dollars Per Month from the 1st December 1803 the day I left Natchez till the last of April will be two thousand Dollars. I have not drawn upon the Secretary of War for my extra allowance thinking that the ten thousand dollars fund would meet my compensation and the contingent expences also. But I fear it will not bear me out untill the first of October, and in this event, I shall draw upon the Secretary of War for my compensation. There is at present the most perfect good order in this City. But I fear the prohibition as to the importation of Negroes will excite a great ferment. On this Subject, the Louisianians feel a lively interest, and very much to my mortification, I find the general Sentiment is greatly in favour of the African Trade.

I am Sir very Respectfully

you obdt. Servt.

(Signed) Wm. C. C. Claiborne

The Honble.

Albert Gaalatin Secty. Treasy.

P S Vouchers are forwarded for seventeen hundred and nine dollars, eighty two Cents, leaving a Balance to

be accounted for (together with the balance on the 25th March for which see journal) of two thousand one Hundred and twenty two dollars, Sixty nine Cents: of this Sum one Hundred dollars in cash was on hand and my extra compensation from the 1st December to the last of April at 400\$ Per Month, amounts to two thousand dollars which will leave me indebted to the United States twenty two dollars Sixty nine Cents.

Wm. C. C. Claiborne

To Edward D. Turner

New Orleans 6th May 1804

Sir,

A Mr. Matthias Barker, a Trader at Natchitoches who was introduced to me by Doctor Sibly as an honest man was arrested in this City a few days ago for a Debt of eight hundred dollars, and put into jail, in consequence of the character of the Man given me by Doctor Silby, and his assurances that as soon as he had made Sale of the Cargo which he had brought to Market the debt should be honestly discharged, I solicited Mr. Thomas Randall Merchant of this City, to become Bail for Barker and he was consequently released from confinement, upon which he placed into Mr. Randalls hands three hundred Dollars and promised the Balance in a few days.

Regardless however of his Honour and acting a part directly opposite to that of an honest man he has Since Sold his cargo, and left the City without a settlement with his creditors or Securing his Bail. If this Man should have returned at Natchitoches I request you would immediately demand of him five Hundred dollars or property Sufficient to sell for that sum. If he shall refuse I request you to sieze upon property to that amount. My respect and friendship for Doctor Silby led me to no-

tice this Man Barker, and was the means of Subjecting Randall to the payment of five hundred dollars.

A Soldier of the name of Daniel Hay enlisted by you in New Orleans, is the son of a respectable widow in Nashville, and a request has been made to me by a number of Citizens of Tennessee, to endeavour to obtain his discharge upon which Subjects I have addressed a Letter to the Secretary at War. In the mean time I pray you to extend some indulgence to David Hay. (sic.)

One hundred Marines under the command of Captain Carmick, arrived here on last evening. I have had no late intelligence of Colonel Freeman - General Wilkin-son left this City about ten days ago. My respects to Mrs. Turner - I am Sir

with great Respect and esteem your obdt Sevt.

Signed Wm. C. C. Claiborne

Captain Edward D. Turner
Commandant of Natchitoches

To Thomas Villaneuva

New Orleans 7th May 1804

Sir,

I have the Honour to acknowledge the receipt of your favours of the 28th and 30th of last month.

In reply to the first, I Shall observe that you conduct in the affair of Placencia and Acosta meets my Entire approbation,- Mrs. Acosta has since presented herself to me and denies most positively ever having scandalized in any manner whatever the family of Placencia. If she will make the same declaration before you and to the satisfaction of Placentia's family, you are at Liberty to remit the fine of forty Dollars if however she will not make those concessions you are authorized to act as you may think proper and as justice to the innocent requires. With Respect to the affairs of Mrs. Timenes which you

consider to be in a deranged unfortunate situation owing to her improper conduct, and her incapacity to take care of the property of her Children, I leave you to act as you may think proper, and authorize you to do every thing relative thereto, which may be necessary to secure the estate of her Children consistent with justice and the usages of the Country, fully persuaded that the confidence reposed in you on this occasion as well as in all others will operate to your own Honour and the interest of the parties concerned.

I have the Honour to be with due respect and consideration.

you obdt. Servt.

(Signed) Wm. C. C. Claiborne

Mr. Thos. Villaneuva

Commandant Dans la fourche

To the Marquis of Casa Calvo

New Orleans 7th May 1804

Governor Claiborne has perused with great pleasure the Proclamation of the Captain General of the Island of Cuba, which the Marquis De Casa Calvo, was good enough to enclose him.

The proclamation of the Captain General is an additional proof of his vigilance and zeal in preserving the neutrality, which his Catholic Majesty has determined to observe during the present War.

Governor Claiborne requests the Marquis of Casa Calvo to accept assurances of his respectful attachment

(Signed) Wm. C. C. Claiborne

Governor Claiborne has received from the Marquis of Casa Calvo the Letters addressed to the Marquis De Casa Yrujo and will with great Pleasure forward them by the first Safe opportunity.

(Signed) Wm. C. C. Claiborne

The Marquis De Casa Calvo

To James Madison.

New Orleans 8th May 1804

Sir,

The enclosed proclamation of the Captain General of Cuba, was transmitted to me on yesterday by the Marquis of Casa Calvo who has often expressed to me, the desire of his Catholic Majesty to observe the strictest neutrality during the present War.

The emigration from the West Indies to Louisiana continues great; few Vessels arrive from that quarter but are crowded with passengers, and among them many Slaves. I am inclined to think that previous to the 1st of October thousands of African Negroes will be imported into this Province; for the Citizens seem impressed with an opinion, that a great, very great supply of Slaves is essential to the prosperity of Louisiana: Hence Sir you may conclude that the prohibition as to the importation Subsequent to the 1st of October, is a source of some discontent; Nay Sir, it is at present a cause of much clamour, but I indulge a hope that the Louisianians will very soon see the justice and policy of the Measure.

In a former Letter I stated that some repairs to the "Governors House" were much wanting. Perhaps twelve or fifteen Hundred dollars would effect all the repairs necessary to preserve it from decay, but the expenditure of about Six hundred dollars would make the House comfortable.

Accept Sir assurances of my great respect and Esteem
(Signed) Wm. C. C. Claiborne

The Honble.
James Madison
Secty. of State

Decree

By William C. C. Claiborne Governor of the Mississippi Territory exercising the Powers of Governor General and Intendant of the Province of Louisiana.

— After hearing the Statement (on oath) of Captain Arthur Stotesberry Master of the Ship active of Philadelphia relative to five Negroe Men, Named Billy, Nancin, Jesse, Alexander and Jerico whom he took out of an open Boat in Distress at Sea, in Lat 14°.46" North and Long. 63°:00" West from London, on his passage from Barbadoes to New Orleans and which Negroes as they said had been blown by Strong Winds from the Island of St. Vincent, where they were Slaves to Doctor Barbary and had been 13 days at Sea without provisions.

And Whereas, it appears to the undersigned that the above named Arthur Stotesbury was at great trouble in restoring the Health of the aforesaid Negroes, and that Since their arrival at this Port, they had Subjected him to considerable expense— I do therefore Decree.—

1st. That the Negroes Billy, Nancien, Jesse, Alexander and Jerico be sold at public Auction for cash by Patton and Evans Auctioneers for this City.

2ndly. That the said Arthur Stotesbury be entitled to a Salvage of one Half of the Nett proceeds of the Sales after deducting therefrom the usual and legal Commissions of the Auctioneers, and that the residue of monies arising from Such Sales be deposited with Patton & Evans Auctioneers as aforesaid who shall pay the same to Doctor Barbary of St. Vincents or to his order, should be prove to be the owner, to whom the Auctioneers Patton & Evans will address a Letter and enclose a Copy of this Decree.

Given under my hand and the Seal of the Adminis-

tration at the City of New Orleans, the 7th day of May 1804 & in the 28th year of American Independence.

[S. L.]

(Signed)

Wm. C. C. Claiborne

To William Cooper

New Orleans 9th May 1804

Sir,

I received your Letter of the 6th instant and highly approve your conduct relative to the detention of the Negroes ill of the Small Pox. You are required to detain them either at the Fort or at some convenient place in the Neighbourhood thereof until they may be declared free from infection by the Surgeons Mate Mr. Williamson at which time they may be allowed to ascend the River, and you are further required to do the same thing with every person of what ever description they may be who shall arrive at Plaquemines labouring under that disease.

The Captain of the Sloop must be ordered not to Sail from Plaquemines until he has by washing Fumigation &c completely cleansed his Vessel, and on his arrival within one League of the City of New Orleans he must there stop and report himself to me and be Visited by the Physician of the Port, before he can be allowed to unload or suffer a Single Man of his crew to come on Shore, and the same rule must be observed by all Vessels arriving, with the Small Pox on Board. You are to communicate these instructions to all Captains of Vessels observing at the same time that a negligence of these orders shall be severely punished.

I am Sir with great Respect and Esteem your obdt. Svt.

(Signed)

Wm. C. C. Claiborne

Captain Cooper

Commanding at Plaquemines

To Henry Hopkins

New Orleans 9th May 1804

Sir,

Enclosed you will find an obligation of Mr. Michael Broussard for the sum of four hundred dollars endorsed to Mr. Peytevan whereby it appears from the Testimony of two Witnesses the one residing in the District of Mr. Cantrell and the other in that of Mr. Landry, that the Debt is justly due. You are therefore required to cause the said obligation to be discharged and to render justice to all the parties concerned.

I am with due Respect
you obdt. Sevt.

(Signed) Wm. C. C. Claiborne

Mr. Henry Hopkins
Commandant of Atakapas &c

To James Madison.

New Orleans 10th May 1804

Sir,

Mr. Lyon has agreed to reprint (in his paper) the Laws of the United States upon the Terms you proposed, but in full expectation that when you are acquainted with the high expences attending his establishment you will augment his compensation.—Of these expences Mr. Lyon can inform you in person, and I believe they are infinitely greater than the Printers in any other City in the United States are subjected to.

The Paper Edited by Mr. Lyon has thus far maintained an Honorable reputation, and I believe has been of great public Utility.

The Conduct of Mr. Lyon during his residence here

has been marked with great prudence, and he has merited and received my confidence and Support.

Accept assurances of my great Esteem and high consideration.

(Signed) Wm. C. C. Claiborne

The Honble.
James Madison
Secty. of State

To Joseph L Andry.

New Orleans 10th May 1804

Sir,

You will receive herewith enclosed, an obligation of Pierre Duplisses Deceased for 378 dollars due to Messrs. Reynaud and Peytevan and you are required to examine into the merits of the case and cause the said Debt to be discharged as soon as the Monies of the said Deceased Pierre Duplisses can be collected.

I have the Honour to be with due Respect

Your obdt. Sevt.

(Signed) Wm. C. C. Claiborne

Mr. Joseph L Andry
Commandant 2nd Acadian Coast

To Mayor Bore.

New Orleans 10th May 1804

To the Mayor and Municipality of New Orleans—

Sir,

I have the Honour to acknowledge the receipt of your Letter of the 9th Instant relative to the different sums of money which it appears still remain in the possession of certain Officers of his Catholic Majesty and which

properly belong to the City of New Orleans. I have taken the earliest opportunity to address a Letter upon this Subject to the Marquis De Casa Calvo, and I beg you to be assured that nothing shall be wanting on my part to maintain the Lawful rights of the City, and that I will cheerfully Co-operate with you in every measure tending to its prosperity.

I am with great Esteem and high consideration
your obdt. Sevt.

(Signed) Wm. C. C. Claiborne

Mr. Boré Mayor

To the Marquis of Casa Calvo.

New Orleans 10th May 1804

Sir,

I have the Honour to enclose your Excellency a Letter addressed to me by the Municipality, representing that certain monies belonging to the City of New Orleans remain in the Treasury of his Catholic Majesty or in the possession of some of his officers.

After perusing the communication from the Municipality, I am fully persuaded that your Excellency will direct such measures as the nature of the case may require.

I pray you Sir To Accept assurances of my high consideration and respectful attachment.

(Signed) Wm. C. C. Claiborne

The Marquis De Casa Calvo

From James Madison to Gov. Claiborne.

Washington 9th April 1804
Department of State

Sir,

Since my Letter of the 2nd Instant the last Mail has brought several from you and General Wilkinson, which having been forwarded to the President I cannot refer to them by dates. Instead of the Passports for the Inhabitants of Louisiana the form of which, you have enclosed, I request you to issue those which I now transmit. By the next Mail I shall forward an additional number. You will be pleased to keep a register of the names of the persons to whom they are issued the dates and the evidence on which they issue; of which register certified transcripts shall from time to time be forwarded to this department. The Manner of filling the Blanks is pointed out in one of them. The question which you Suggest as likely to arise after the termination of the functions of the French and Spanish Commissioners, concerning their inviolability under the Law of Nations and in particular whether they will be privileged against suits is so Novel and delicate that I should not willingly express my opinion concerning it until I have consulted the President who is absent at Monticello. But it is to be expected that no delay will have been made by them in returning after the execution of their trusts, and thereby a decision upon a doubtful question of importance will be precluded.

The remarks of Doctor Watkins in the report of his Tour among the Commandancies along the River will be duly considered, but so far as they invite to measures within the Sphere of the Legislature, it was unfortunate that it did not come to hand before the rising of Congress.

Enclosed is part of the Laws of the last Session which you will be pleased to put into the hands of Mr. Lyon or

some other printer of a Gazette. They will be followed by a further quantity next Week. The compensation will be at the rate of fifty Cents Per page of the Copy.

The Treaty of Cession of Louisiana to Spain in 1762 and her act of Acceptance have never been made public. The Letter of the King of France to his Governor to make the delivery to the Spanish Authorities of which a copy is enclosed refers to them as to be recorded at New Orleans; and as they may have an interesting application to the question, Whether the Cession to the United States includes West Florida, I request you to have a Search made for them, and transmit copies of them both by Mail, and by Sea if opportunity should serve, to promote their early receipt. Any other Documents tending to the same purpose which the registers of the Province may afford will be acceptable to us.

I have the Honour to be Sir with great respect
your obdt. Sevt.

(Signed) James Madison

Gov. Claiborne

Annual Register for 1765, Page 271,
Extract from his most Christian Majesty's Letter to Mr. D'Abbadie, Director General and Commandant for his Majesty in Louisiana, ordering him to deliver up to his Catholic Majesty all the French possessions in North American not already ceded to Great Britain from the original printed by Dennis Braud, printer to the King at New Orleans in October 1764 and circulated amongst the French Inhabitants there.

Monsieur D'Abbadie

By a Special act, done at Fontainebleau, November 3rd 1762, of my own will and mere motion, having Ceded to my very dear and best beloved Cousin the King of Spain, and to his Successors, in full property, purely and Sim-

ply, and without any exceptions, the whole Country known by the name of Louisiana, together with New Orleans, and the Island in which the said City is Situated, and by another act done at the Escorial November 13th in the same year. His Catholic Majesty having accepted the Cession of the said Country of Louisiana and the City and Island of New Orleans, agreeable to the Copies of the Said Acts, which you will find hereunto annexed. I write you this Letter to inform you that my intention is that, on the receipt of these presents whether they come to your hands by the officers of his Catholic Majesty, or directly by such French Vessels as may be charged with the same, you are to deliver up to the Governor, or Officer appointed for the purpose by the King of Spain, the Said Country and Colony of Louisiana, and the posts thereon depending, likewise the City and Island of New Orleans, in such State and condition as they shall be found to be in on the day of the said Cession, willing that in all time to come, they shall belong to his Catholic Majesty, to be governed and administered by his Governor and officers, and as possessed by him in full property without any exceptions.

At the same time, I hope for the prosperity and peace of the Inhabitants of the Colony of Louisiana and promise Myself from the Friendship and affection of his Catholic Majesty that he will be pleased to give orders to his Governor, and all other officers employed in his Service in the said Colony and in the Said City of New Orleans, that the Ecclesiastics, and religious Houses which have the care of the parishes and of the Missions, may continue to exercise their functions, and enjoy the rights privileges and immunities, granted by their Several Charters of establishment, that the ordinary Judges do continue, together with the Superior Council to administer Justice according to the Laws, forms, and usages of the Colonies; that the Inhabitants be preserved and maintained in their

possessions; that they be confirmed in the possession of their estates, according to the grants which have been made by the Governors and Directors of the Colony, and that all the grants be holden and taken as confirmed by his Catholic Majesty, even though not as yet confirmed by me.

Hoping above all, that his Catholic Majesty will be pleased to bestow on his new Colony of Louisiana the Same Marks of protection and good will which they enjoyed while under my dominion, and of which the misfortunes of War alone have prevented their experiencing greater effects. I command you to cause my present Letter to be recorded in the Superior Council of New Orleans to the end that the several estates of the Colony may be informed of its contents, and may have recourse thereto when necessary. And the present being for no other purpose—

I pray God, Monsieur D'Abbadie to have you in his Holy keeping

Given at Versailles, April 21st 1764

(Signed) "Louis"

To James Madison.

New Orleans 10th May 1804

Sir,

Your Letter of the 9th Ultimo together with its enclosures, I have this moment received and beg you to be assured of my faithful attention thereto.

The Spanish Commissioner the Marquis of Casa Calvo, the late Governor Salcedo, and the Intendant Morales are yet here the Marquis contemplates a long residence; Salcedo is making preparations to retire to the Canaries and Morales says, he will leave the Province,

as soon as the State of the Business in his department will permit.

I will endeavour to obtain Copies of the Records you Solicit, they are not among the papers &c surrendered to the Commissioners, but may probably be found among the Archives of the Municipality and if So shall be immediately transmitted to you.

I am Sir very Respectfully

Your obdt. St.

(Signed) Wm. C. C. Claiborne

P S I have taken the liberty to enclose under cover to you two letters to the Spanish Ministers, which I am solicited to forward by the Marquis De Casa Calvo.

The Honble.

James Madison

Secty. of State

To Baudin.

New Orleans 12th May 1804

Sir,

The President of the United States did receive your Petition of the 1st of February last together with the papers accompanying it and has transmitted the Same to me.

Permit me to inform you that the application to the President in the suit between you and Mr. Labie was irregular. Under the former Government of Louisiana, there was an appeal in Judiciary matters from the Governor to the Captain General of Cuba. You probably supposed, that the appeal was now to the President of the United States, but this is an error for no authority has as yet been established paramount to that of the Governor. I mean as to Judicial decisions.

In virtue of the appellate jurisdiction which has been

reserved to the Governor by my ordinance, I shall never hesitate to exercise a controul over the decisions of inferior Courts, when justice requires it. But your case as it was represented to me, did not seem to justify my interference.

The Claims of Mr. Labie against you were not disputed, and your objections went not to the justice but the forms of the proceeding against you. Every Court has an inherent right to regulate their own forms of proceedings, provided they be not at variance with the substance and general principles of the Law of the Land.

That species of your property (Sugar) which was levied on, I do not understand to be exempted from execution under the Laws; and the proceedings of the Sheriff appeared to be correct. Upon a review therefore of the whole Subject I see no cause for my interference, or any just reason you have to complain.

I am Sir very respectfully

Your obdt. Servt.

(Signed) Wm. C. C. Claiborne

Mr. Baudin

To Edward D. Turner.

New Orleans 13th May 1804

Sir,

Your Letter of the 1st instant has been duly received. The pleasure evinced by the Citizens of Natchitoches on the raising of the American Flag is an agreeable circumstance, and I trust it will be in your power to confirm the attachment of those who are at present well disposed to the American Government, and to conciliate the affections of Such Citizens who from interest, prejudice or want of information are not pleased with the change.

In all your intercourse with the Spanish Authorities in your vicinity you will manifest a friendly disposition, and I particularly request that you would restrain the American Citizens from passing into the adjacent Spanish provinces, with a design to take Horses. As far as I know, a good understanding exists between the United States and his Catholic Majesty, and this good understanding it is our duty to promote. I believe the Limits of Louisiana are not clearly ascertained, nor do I yet know how far the claims of the United States *westwardly* will extend. But until this question is settled I have no objection to your complying with the desire of the Commandant of Natchitoches, by granting your passports to the Citizens of Louisiana travelling from one post to another was heretofore invariably observed, and I wish you to conform to this custom in your District until instructed to the contrary.

I am Sir very Respectfully

Your obdt. Sert.

(Signed) Wm. C. C. Claiborne

Capt. Edwd. D. Turner
Commandant of Natchitoches

To James Madison.

New Orleans May 13th 1804

Sir,

I received on this Morning the enclosed Letter from Captain Turner, the Commandant Civil and Military of the District of Natchitoches on the Red River, and immediately returned an answer of which the paper marked A is a copy. In my Letter to you of the 10th Instant, I mentioned that the Marquis of Casa Calvo, Governor of Salcedo, and the Intendant Morales were still in Orleans:

- I may also add that the late Secretary to the Province, Auditor, Contador, and twelve or fifteen officers of the Spanish Army together with one Company of Dragoons, with a small detachment of Spanish Infantry have not yet removed from New Orleans. The Marquis (with whom I am in habits of friendly intercourse) informed me on yesterday that the Dragoons would proceed to Mexico in a few days. With respect to the officers whom I have enumerated I think it probable the greater part of them will pass the Summer here. The Marquis (as I heretofore informed you) is appointed a Commissioner of Limits, and contemplates I understand, a residence in this City, until he receives further instructions from his Court.

Accept assurances of my respect and esteem

(Signed) Wm. C. C. Claiborne

The Honble.

James Madison

Secty. of State

To Lieut. Bowmar

New Orleans 14th May 1804

Sir,

Your Letter of the 15th Ultimo was duly received. The Satisfaction expressed by the people on the change of Dominion, and their attachment to the American Government must tend to render your official duties Agreeable, and I am persuaded your conduct will be such as to attach the general confidence and esteem of your fellow Citizens. It is expected that everything will be done by you to maintain the Friendship of the Indians settled in the Vicinity of your Post, and those who may trade there.

With this object in view you will take care that no vi-

olence be offered to unoffending Indians, and that in their Trade with the Merchants no injustice be done them. In your conversations with these Indians you will speak of the Friendly disposition of the President of the United States, to his *Red Children* and his great desire to see them happy. You will add that the Americans are now their Brothers, and they must live in peace and friendship as one family.

I am Sir very Respectfully

Your obdt. Sev't.

(Signed) Wm. C. C. Claiborne

Lieutnt. Bowmar

Commandant of Ouachitas

To James Madison.

New Orleans 14th May 1804

Sir,

On this Morning I received the enclosed Letter from the Commandant of the District of Ouachitas, and returned the answer of which the paper marked B is a Copy.

You will have discovered, that some time had elapsed after the delivery of Louisiana to the United States before the Posts of Natchitoches and Ouachitas were taken possession of by our Troops. This delay arose from an unwillingness to reduce our force in this City, until the greater part of the Spanish Troops had been withdrawn and the long Voyage which the detachment had to perform previous to their reaching the Posts aforesaid.

I am Sir very Respectfully

you obdt. Sev't.

(Signed) Wm. C. C. Claiborne

The Honble.

James Madison

Sect. of State

To Lieut. Bowmar

New Orleans 15th May 1804

Sir,

I approve of the desire you manifest in your Letter of the 26th Ultimo to place the Militia of your District on a more respectable footing.

Ouachitas is a frontier Post, and in the first moments of danger, the Citizens if not trained to arms, might suffer considerably before adequate relief could be afforded from the interior Settlements. To assist you therefore in your exertions for a better organization of the Militia, I embrace the earliest opportunity to forward you Seven Blank Commissions, which you will fill up with the names of Such persons, as you may Suppose best qualified, and entitled to my confidence.

I desire that (as heretofore) the Militia of your District, should be divided into Infantry and Cavalry, and one company of each. Attached to the Infantry I wish one Captain and two Subalterns; to the Cavalry one Captain and three Subalterns—

The Commissions are all dated on the same day (except one) which you will fill up with the name of the person you would wish to take rank as the Senior Captain. I thought it best not to fill up the Commissions with the names you forwarded, lest on further acquaintance with the Citizens, some other characters better qualified might become known to you or some of those recommended might decline Serving.

I am Sir very Respectfully
your obdt. Sevt.

(Signed) Wm. C. C. Claiborne

Lieut. Bowmar

Commandant at Ouachitas

To the Marquis of Casa Calvo.

New Orleans 16th May 1804

Sir,

Your communication of the 12th Instant has been duly received, and I beg you to be assured of my readiness to render you in your individual or public Capacity any Services in my power. I have no objection to Mr. Peter Pedisclaux's assisting you in the researches which you are charged to make, and taking for your use, extracts from, or copies of, such judicial proceedings as may be on file in any of the Offices in Louisiana.

I renew to you the assurances of my esteem and respect

(Signed) Wm. C. C. Claiborne

His Excellency

The Marquis of Casa Calvo

To Henry Hopkins.

New Orleans 18th May 1804

Sir,

Enclosed you will receive documents relative to the freedom of a Negro Man named Pierre Mallet, which you are required carefully to examine, and should you find that the Said Negroe is entitled to his freedom you are to take the necessary Steps to secure him his rights.

I am Sir Respectfully

your obdt. Sevt.

(Signed) Wm. C. C. Claiborne

Mr. Henry Hopkins

Commandant of Atakapas & Opelousas

To William Cooper.

New Orleans 19th May 1804

Sir,

You will be good enough to visit the Danish Schooner Nancy, Belhome Master from Kingston, and having ascertained the number of Slaves on Board you will give permission, and to transmit to me by the Said Captain in a Letter, the number of Slaves their Sex &c &c You will also be good enough to forward me by some convenient opportunity a duplicate of the Letter and list of Slaves which you may have given to the Captain of the Schooner.

I have the Honour to be

your obdt. Servt.

(Signed) Wm. C. C. Claiborne

Capt. Cooper

Commanding at Plaquemines

To James Madison.

New Orleans 20th May 1804

Sir,

The Treaty Ceding Louisiana to Spain in 1762 and her Act of Acceptance I have not been able to meet with among any of the records in this City. In the Archives of the Cabildo, now in possession of the Municipality, I find no traces of any events prior to the arrival of General O'Reilly. The proceedings of the Supreme Council of New Orleans, under the Government of France, some old Inhabitants are of opinion, were either removed by the French Authority or Suppressed by O'Reilly. I have enquired of the Marquis De Casa Calvo, and Don André late Secretary of the Government, if they had ever seen the Treaty of Cession, and Act of Acceptance referred

to in the Letter addressed by the King of France to Governor D'Abbadie, and they answered in the Negative, adding their belief that those papers were never published. The first Spanish Governor Ulloa arrived at New Orleans in March 1766, with Authority from Spain to take possession of the Country and probably with Copies of the Treaty &c &c But previous to his arrival D'Abbadie had died, and the powers of Governor were exercised by the French Military Commandant Aubry. This Officer conspiring with the Inhabitants formed a party Sufficiently Strong to delay the actual Cession of the City for about two years and eventually to force Ulloa out of the Province, who it is likely took with him his credentials and all other Documents committed to his care.

This Sir is the result of all the enquiries which I have as yet been able to make. But you may be assured I will not remit my endeavours to procure further information on the Subject. The Mail expected from the Eastward last week failed to arrive; and I of course have not yet received the additional Supply of Blank passports which you promised me.

In a Letter which reached me this day from Captain Stoddart first Civil Commandant of Upper Louisiana, I learn that every thing is tranquil in that quarter, and the people well affected to the Government. I have the pleasure to add that good order continues to prevail in this City. Governor Salcedo and his family have taken their passage in a Vessel bound to Cadiz, and it is expected will Sail in the course of this week.

I am Sir with respect and Sincerity your most
obdt. Servt.

(Signed) Wm. C. C. Claiborne

The Honble.
James Madison
Secty. of State.

To Henry Dearborn.

New Orleans 20th May 1804

Sir,

At the request of the Gentlemen of the United States Army stationed in this City I have the Honour to forward the enclosed recommending the appointment of Doctor Oliver H. Spencer in the room of Doctor Carmichael (resigned) late Military Surgeon at this Post.

Doctor Spencer was Educated, as I understand, under Doctor Richard Allison when Surgeon general of the United States Army, and he has since graduated as M. D. in the University of Pennsylvania. During the Scarcity of Surgeons in the Western Country in 1799 and 1800 he was employed in that capacity for upwards of a year at Fort Adams, and since the removal of the Troops hither, he has again officiated for Doctor Carmichael who has been absent since February. The Officers have consequently had an opportunity to form an opinion of his industry, attention, and Success in practise.

It is only necessary for me to add that the Gentleman in question has practised Medecine in this City for about three years, and bears an Excellent character; and to express my anxious wish, for the Sake of humanity, as well as the benefit of the Service, that the Troops at this Post (all Strangers to the Climate) may be provided with the best Medical aid before the arrival of that perilous Season now almost at hand.

Accept Assurances of my great Respect and Sincere esteem

(Signed) Wm. C. C. Claiborne

The Honble.
Henry Dearborn
Secty. of War

To Bore.

New Orleans 21st of May 1804

Sir,

I have duly received yours of the 19th instant announcing your wish to resign the Mayoralty of this City.

I always accept with concern the resignation of a public officer who has been faithful to his trust and therefore cannot but regret the circumstances which have induced your relinquishment of an office, the duties of which have been discharged with so much credit to yourself and advantage to the City. I cannot however but acknowledge the urgency of your motives for retirement, and shall therefore forbear to urge your continuance in public Service.

I pray you to accept assurances of my great respect and esteem

Mr. Boré

(Signed) Wm. C. C. Claiborne

An Ordinance

Concerning persons confined for Debt

By William C. C. Claiborne Governor of the Mississippi Territory Exercising the powers of Governor General and Intendant of the Province of Louisiana.

Be it ordained, that persons confined for Debt shall each receive from the Jailor a daily Subsistence of the value of thirty Cents, and which shall be paid by the Creditor, Agent or Attorney at whose suit such persons may have been confined.

And be it further ordained that a payment for the subsistence of such persons shall be made once in each and every week, and if the same shall be refused or delayed, it shall be the duty of the Sheriff after five days previous notice to the Creditor, Agent, or Attorney as aforesaid, to release from confinement, the Debtor, on the payment of so much of his Jail expences as shall re-

main to be discharged: and Such release shall thereafter exempt *the person* of the Debtor from process of any kind on the judgment or demand on which he had been so confined. Given under my hand, and the Seal of the administration at the City of New Orleans the twenty first day of May 1804 and in the 28th year of American Independence.

[S. L.]

(Signed) Wm. C. C. Claiborne

To Henry Hopkins.

New Orleans 22nd May 1804

Sir,

In relation to the matter in dispute between Edward Worthington and Daniel Callaghan you will be pleased to require the parties to appear before me on the 20th of next month (June) at the Government House in this City, you will direct them to come prepared with their Testimony, for on that day I propose to investigate the matter in dispute between them, and to make such decree, as justice shall dictate.

I am Sir very respectfully

Your obedient servant

(Signed) William C. C. Claiborne

Mr. Henry Hopkins

Commandant of Atakapas & Apelousas

From the Marquis of Casa Calvo to Gov. Claiborne.

(Translation)

To the Governor General and Intendant of the Province of Louisiana.

Sir,

The Criminal Suit which had been begun in the time of the Spanish Government against Lewis St. Julien Inhabitant of the Post of Atakapas, claims all the atten-

tion of the undersigned Commissary of his Catholic Majesty, and induces him to expose to your Excellency what follows.

The Colonial Prefect Citizen Laussat, contrary to all justice, contrary to the common rights of men, three days after he had taken possession of this Province, without the least regard for the close and Sacred ties of friendship and alliance which unite the Spanish Government with the French Republic, did in an abrupt and violent manner, without any previous investigation of the cause pronounced that St. Julien was innocent of the horrid crime which is imputed to him, notwithstanding his conscience must have represented the matter to him in a very different point of view. For at the time he had the temerity to set him at liberty, he covered himself with the veil of an apparent justice, by executing a Security which the Spanish Laws do not admit in criminal cases of this nature, while with all the venom of Rebellion and discord he spread profusely throughout all the Province and even ordered to be posted up in the most retired corners of this City an outrageous and Satirical Proclamation, truly mortifying to the Spanish Nation; thus despising the dictates of the most simple and common justice.

Some respectable Families who have deserved well of the Spanish Government, are clamoring and calling aloud for justice and protection, which are imperiously commanded by the National Honour. The public Vindication and the Safety of those Settlements wherein the Government of the United States is so essentially interested. That protection the Commissioner of His Catholic Majesty now begs of your Excellency.

It will seem that this representation ought to have been made ever since the Colonial perfect issued his proclamation, and had the Audacity to set St. Julien at liberty, but if your Excellency will please to pay some atten-

tion to the Motives hereafter expressed you will no doubt commend the moderation with which the Spanish Commissioners behaved under these circumstances. They were in hopes that the Colonial Prefect conformably to the Royal Decree of the fifteenth of October 1802 for the Re-Cession would Realize the wishes of their Sovereign and let the Justices and Tribunals, here established continue their functions according to the customs admitted in the Colony, and that likewise the Inhabitants would be preserved and maintained in quiet possession of their property.

To what degree the beneficent intentions of the King have been frustrated, is evidently seen by the dispositions of the Prefect, who in the very instant of taking possession changed and altered all the System of the Spanish Government, forming and establishing new Tribunals and Officers.

I must confess to your Excellency that I then was in a great perplexity owing to the natural resentment which I felt, on seeing the recommendation of my Sovereign not attended to, but notwithstanding I adhered Strictly and literally to the Execution of his Royal Orders. From thence your Excellency may infer whether it was prudent to add more aliment to a Volcano already in flames, by exposing my sentiments and those of the Nation to universal criticism and endangering the lives of many innocents.

I therefore confined myself to the information which I gave to the Court, believing that the nigh change of Government would give an opportunity of replacing everything in its former order by continuing the investigation of the suit so as to come to the discovery of the author of that horrid crime, of which St. Julien is accused with so violent suspicions. Under these expectations I let time pass away, and was thinking that the interested parties would establish their right in your Ex-

cellency's Tribunal, but seeing now that Six months have elapsed, and considering that justice never can perish, I find myself under the necessity of breaking Silence, when I observe the Brazen faced insolence with which St. Julien appears in the Post of Atakapas, and in this City, and the intention which I am told he has of Soliciting his acquital from your Excellency, and the abrogation of the Security he has given. I therefore entreat your Excellency in the name of the King my master for the Sake of Justice, and for the Honour of my nation, to be pleased to take into consideration the gravity of the case, and to order that the investigation of the suit be continued, detaining at the same time in a safe prison the body of St. Julien, for it is no more than what dictates the common right of Men, and it is not in the least Offensive to the Authority of the United States, Since the only object is to discover the true Malefactor and to extinguish the discord and Spirit of party which this cause will foment, so long as the fact be not brought to light before it can be obscured by malice in the course of time. May God grant you a long life.

(Signed) El Marquis De Casa Calvo

I certify the above to be a true and faithful translation of the original.

(Signed) P. Derbigny Interpretor to the Government

To the Marquis of Casa Calvo.

New Orleans 22nd May 1804.

Sir,

Your Letter of the 10th instant has been received and read with respectful attention. I regret very Sincerely the unpleasant Sensations to which the affair of St. Julien has given rise, both to the Commissioners of his

Catholic Majesty, and the late Colonial Prefect of Louisiana; but I trust that your Excellency must be sensible to the extreme delicacy of the situation in which I am placed, and the propriety of my reserving for my Government alone my opinions that I may have formed relative to the conduct of those who have preceded me in authority.

On my arrival at New Orleans I found St. Julien at Liberty and bound in recognizance for his appearance whenever he might be called upon. But as I entertained serious doubts whether any principle of Law would justify my noticing offences of which my Government had no cognizance when they were committed, I was disposed not to revive the discussion of St. Julien's case. With a view however to throw Some light upon a Subject which had caused so much agitation in the public mind, and seemed to excite a general Interest in the Country, I instructed the Commandant of the Atakapas to receive depositions in that case at an appointed time and place after having given due notice to St. Julien, and M A Declouet whom I understood to be one of St. Juliens accusers. St. Julien complied with the appointment, but no one appeared on the part of the prosecution to prefer any accusation against him. Of these facts I am advised by the Commandant. But I do not feel myself at Liberty to give any opinion on the Subject, and therefore have not released St. Julien from his Security. As a measure which I deem most adviseable, I propose to transmit to my Government a just representation of the affair and until I shall in return receive its instructions, the business will rest upon its present footing.

I renew to your Excellency assurances of my high consideration and Sincere esteem

His Excellency (Signed) Wm. C. C. Claiborne
The Marquis of Casa Calvo

To Albert Gallatin.

New Orleans 23rd May 1804
10 oClock at Night

Dear Sir,

I received on this evening yours of the 16th of April last respecting the contemplated incorporation of a Domestic Bank in this Territory and while I regret that the measure should appear to you so censurable I am happy to relieve you from any apprehensions which you may entertain from that Establishment.

On a re-examination of the powers with which I have been actually invested, excuse me for Saying that I cannot wholly think with you that, *all acts* of permanent operation were altogether beyond my Authority, but knowing the arrangement under which I was commissioned to be merely of a temporary nature, and as you remark intended only for temporary purposes I studiously avoided even the appearance of making any provisions beyond the Term of my appointment. The Bank Project has been I believe the only instance in which I have exercised my power in deviation from that determination and this deviation I was pressed by an urgency of circumstances too emperious to be at the moment resisted. When the proposal for establishing the Louisiana Bank was Sanctioned by me, the Revenue Laws to which you refer, had not reached this country. The uncertainty of the people as to their political fate produced much inquietude; the proposed prohibition of the African Trade, had excited dissatisfaction among the farmers; the Merchants were loud in their clamors against the export duties, and the want of Registers for their Vessels many of which had been lying idle for months. And at that critical period there were not wanting persons who from principles of disaffection to the New Government, or mo-

tives of personal ambition, were endeavouring to take advantage of the prevailing ferment in the Public mind.

Popular meetings were called, Spirited remonstrances were threatened, and the Supineness of Congress relative to the interests of Louisiana much complained of. I had also reason to suspect and I fear with too much truth, that characters more influential than those who appeared on the Surface of this commotion were at the Bottom of it. Thus embarrassed with difficulties, and surrounded by dangers of which I could not calculate the extent, I thought myself fortunate in discovering that by opening a new door to pecuniary Speculation, I was able to divert for the moment, the most influential part of the Mercantile interest from within the Pale of Political discontent, and at the same time to lay the foundation of an institution which as it was represented to me would eventually prove of National advantage.

The most Wealthy and Respectable Merchants of this City almost without an exception requested the Erection of the Bank. Pleased with the Novelty of the institution, the Subject was pressed with uncommon Solicitude; and the Interest in favour of the establishment appeared so general and so lively, that I did not think it safe at that crisis to add to the motives of popular dissatisfaction. Still however I felt a reluctance to yield to a measure (which though perhaps not beyond the Scope of my powers) was inconsistent with the rule of conduct by which I intended the acts of my temporary administration should be influenced, I consulted with several Gentlemen of information here, whose friendship for me and attachment to the Government, I could not question and of whose disinterestedness also, I was perfectly assured. of my powers they entertained no doubt nor of

the Policy and even the necessity of the measure under the then existing circumstances of the Country.

My Friend *H. B. Trist* as also my friend *Robert Williams* of North Carolina who was then here were favourable to the arrangement, and General Wilkinson strongly recommended it. At length therefore tho after considerable hesitation and as much delay as the urgency of the applicants and the Public temper would admit of, I passed the Ordinance of which I have transmitted a Copy to the Department of State.

But fortunately perhaps in this instance a Steadiness of attachment to favorite objects is not among the characteristic of our new fellow Citizens in this quarter. No sooner were the Bank Books opened than nearly half the fund required was subscribed; but the rage of Subscription cooled with almost incredible rapidity and the Eagerness with which the Citizens at first hurried into the Specualtion, was quickly equalled by the neglect into which it sunk.

A few feeble efforts were made but without effect, to revive the Spirit of adventure, and there seems to be but little prospect that the Capital required will ever be completed: Should therefore the Bank of the United States be disposed to establish a Branch in this City, it has nothing to apprehend from the rivalry of the Louisiana Bank. I trust you will do me the justice to believe that I am not arrogant of power, and have not been led into this scheme by a vain desire of extending my Authority beyond its legitimate limits. In the exercise of the large discretion with which I have been entrusted, I have doubtless committed many errors; but I can confidently assure you what I hope you will not refuse to believe, that the real interests of my Country have hitherto been the invariable motives of every act of my administration. Do me the favour to Submit this letter to the

perusal of the President and believe me to remain with
Sentiments of very great respect

Your Friend and Sevt.

(Signed) Wm. C. C. Claiborne

P S. I positively State, that the wish of the Govern-
ment to introduce a Branch Bank of the United States
into this Territory, I had not the most distant knowl-
edge of, at the time I sanctioned the Ordinance for the
Louisiana Bank; the Revenue laws had not then reached
New Orleans, nor were there contents known to me, and
the act relative to the Branch Bank, which you mention
I never saw until last evening.

I again repeat that the opinion of every person here
with whom I consulted thought my powers Sufficient and
urged the measure. In consequence of my hesitation,
Don Andre the late Spanish Secretary a man of Sense
and candour, was consulted as to his opinion of the
power of the Spanish Governor to grant a charter, and
he answered (as was confidently stated to me) that there
would have been no doubt as to his power.

General Wilkinson, Robert Williams and Friend
Isaac Briggs were here when my Bank Ordinance was
passed— they I trust will do me the justice to state my
motives, and the manner in which I was urged to the
measure. Friend Briggs was the only person (besides
myself) who expressed doubts as to my powers; but he
seemed to think that on principles of political expedi-
ency I would stand justified.

I shall await the Presidents instructions and will
cheerfully comply with them;— I understand only one
Hundred and forty thousand Dollars have been Sub-
scribed, and there is no doubt with me but the thing
would have died of itself.

To repeal it however might create some unpleasant

To James Madison.

New Orleans 24th May 1804

Sir,

There exists a great hatred between the Marquis of Casa Calvo and the late Intendant Morales and at this time their exertions are mutual to ruin each other. The contest is taking such a direction that the probability is, one of them will lose the confidence of their Court: My private opinion is that the Marquis is infinitely the most deserving character and I therefore wish and hope he may triumph over his rival.

The Privateer of which I spoke in my Letter this Morning has been stopped at Plaquemines,- She has no prizes with her as was reported, but in her possession is a long boat with the "Abigail of New York" written on her Stern:- an attempt has been made to erase the words, but I learn they are still legible:- This circumstance leads to a belief that, the Privateer has captured an American Vessel on our Coast.

Application is not yet made, for the passage of the Privateer by the Fort.

I am Sir very Respectfully
your obdt. Servt.

(Signed) Wm. C. C. Claiborne

The Honble.

James Madison

Secty. of State

New Orleans 25th May 1804

To the Mayor and Municipality of New Orleans

Sir,

I received your Letter of the 19th instant relative to the opening a road along the shore of the Bayou St. John, and having duly considered the same, approve of your

regulations and Shall immediately transmit orders to Mr. Bernard Genois to comply without delay to your arrete (upon this Subject) of the 9th instant.

I am with due respect

Your obdt. Sevt.

(Signed) Wm. C. C. Claiborne

The Mayor

To Bernard Genois

New Orleans 26th May 1804

Sir,

You are required to conform to the Arrete of the Municipality of the 9th Instant of which you have already received a Copy relative to the opening a Road along the Shore of the Bayou St. John, and which road has been hitherto obstructed by your fence.

I am Sir with due Respect

(Signed) Wm. C. C. Claiborne

Mr. Bernard Genois
Bayou St. John

To The Syndic of the Bayou St. John

New Orleans 26th May 1804

Sir,

You are requested to transmit the enclosed letter to Mr. Bernard Genois, and to take care that the Arrete of the Municipality of the 9th Instant relative to the opening a road along the Bayou St. John be executed. In the management of this affair you are to act with the prudence and moderation which becomes every Officer employed under the Government.

I am Sir with due Respect

(Signed) Wm. C. C. Claiborne

The Syndic of The Bayou of St. John

To Antoine St. Amand

New Orleans 28th May 1804

Sir,

A Complaint has been lodged with me relative to the conduct of a Driver belonging to a Mr. Massacour who resides in your District. It is stated that this driver was instrumental in the Murder of a female Slave belonging also to Masacour, If there is ground for this complaint you are required strictly to examine every person and circumstance in any way connected with the affair, and transmit the result of such inquiries to me with your opinion thereon.

With Sentiments of Respect I am Sir

your obdt. Sert.

(Signed) Wm. C. C. Claiborne

Mr. St. Amand

Commandant of the Ist German Coast

New Orleans 28th May 1804

To the Mayor and Municipality of New Orleans

Sir,

I received your Letter of the 19th instant relative to your demand against Ex-Governor Salcedo, and immediately waited upon the Marquis De Casa Calvo who informed me that he would take the necessary Steps to Settle that affair in a way which he had no doubt would be Satisfactory to me and consistent with justice.

I have the Honour to be with due respect

your obdt. Sert.

(Signed) Wm. C. C. Claiborne

The Mayor

To the Mayor, and Municipality of New Orleans.

New Orleans 29th May 1804

Sir,

I have the honour to enclose you a Letter from Doctor Watkins upon a subject interesting to the Health of this City, and to request that the Municipality would take the Same into consideration.

Permit me to add that, it will give me pleasure, to cause to be enforced such measures of police, as will tend to the Security of the Health of our fellow Citizens during the approaching Sickly Season.

I am Sir with great Respect

Your obdt. Servt.

(Signed) Wm. C. C. Claiborne

The Mayor

To Henry Hopkins.

New Orleans 29th May 1804

Sir,

Your Letter of the 20th instant, has been duly received. Every Citizen of Louisiana will be protected in the Religion of his choice, and is at liberty to worship Almighty God, in such manner as his conscience shall dictate but when it unfortunately happens that the House of God is converted into a Temple of Discord, and the professors of Christianity, so far deviate from the mild precepts of their Heavenly Master, as to become the Sons of riot, the Civil authority must so far interfere as to take measures to preserve the public peace: But in such interference the greatest Moderation should be observed and every thing done to conciliate the public mind and restore harmony to the Society.

Your late conduct in Shutting the church of your Dis-

trict seems to have been directed by a Sound discretion, and was certainly a prudent measure; you have therefore my entire approbation.

The whole affair is now before the Revd. Mr. Welsh the Head of the Catholic Church in Louisiana, and from his good intentions and timely interference, I persuade myself the dispute will be promptly and amicably Settled.

In the mean time and until you hear further from me on the Subject you will retain in your possession the Keys of the Church.

I am Sir very respectfully your obdt. St.

Wm. C. C. Claiborne

Mr. Henry Hopkins

Commandant of Atakapas & Opelousas

To James Madison.

New Orleans 29th May 1804

Sir,

In the District of Atakapas a very great dispute has arisen between two Priests. A Man of the name of Barrier was Superceded by Mr. Laussat and a Priest of the name of Veal named his Successor. Lately the Head of the Catholic Church in Louisiana, a Mr. Welsh, recalled Veal, declared his powers under Mr. Laussat Nul, and reinstated Barrier.

A few Sundays Since, the rival Priests appeared at the Church attended by their different partizans who were numerous and very much inflamed. Lieutenant Hopkins the Civil Commandant of the District, apprehending that the public peace was endangered, took upon himself to Shut the Doors of the church and deny entrance to either party, until the matter was reported to me, and my instructions received. This expedient pre-

served the public peace and was I learn very pleasing to all parties. I have referred the affair to the Revd. Mr. Welsh, the Head of the Catholic Church in Louisiana, and addressed to Lieutenant Hopkins a Letter of which the enclosed No. 1 is copy.

I have now certain information that the Privateer I mentioned in my last, took on her passage two prizes—the one an American, and the other an English Vessel. The first is Anchored at the Mouth of the Mississippi, the Second is in the River a little below Plaquemines, it is not improbable but an attempt may be made to Sell the prize goods in this City.

Accept assurances of my Respect and Esteem

(Signed) Wm. C. C. Claiborne

The Honble.

James Madison

Secty. of State

To William Cooper.

New Orleans 29th May 1804

Sir,

You will permit the French Vessel called L'Ugene, Captain Loiseau to pass Fort Plaquemines. I will thank you however to visit the Vessel, and remark the number of Guns and other Military implements on Board, and also the number of men.

I wish this to be done, in order that on her return She may again be examined by you, and if she should be found to have augmented her Military force, She may be detained until you make Special report to me, and receive my further instructions

I am Sir with Esteem and respect

your obdt. Sevt.

(Signed) Wm. C. C. Claiborne

Capt. Cooper

Commandant of Plaquemine

To William Cooper.

New Orleans 29th May 1804

Sir,

I have received your Letter of the 27th Instant. The owner of the Brig two friends from Havana and Mr. McDonagh a Merchant of this City, having each pledged their honour to me that, no person should be landed from said Vessel without my permission and that She shall be Anchored I league below the City, and await a visit from the Physician of the Port. I have consented to her passing Plaquemines with fifty eight Slaves on Board.

Upon the Subject of Health I hope soon to be enabled to write you fully; I shall call the attention of the Municipality to that important object, and I expect some permanent regulations will in a few days be prescribed.

The French Privateer (it is said) has two Prizes in the River, destined for this City. Keep on this occasion a good *look out*, affect to know nothing, and to care less about the business, but learn every thing, that is going on and inform me particularly.

With respect and esteem

(Signed) Wm. C. C. Claiborne

Captain Cooper

Commanding at Plaquemines

To James Madison.

New Orleans 25th May 1804

Dear Sir,

I received by the last Mail a Letter from the Secretary of the Treasury in which my ordinance for the Establishment of the Louisiana Bank is greatly censured. My reply to Mr. Gallatins Letter fully explains the mo-

tives and reasons which influenced my conduct on that occasion, and I beg you Sir to ask Mr. Gallatin for a perusal of it.

The Louisiana Bank will probably die of itself, only 140,000 Dollars have been Subscribed, and for many weeks past not a Single Share has been taken; but great as the indifference with respect to this institution has of late been, I am persuaded that a repeal of the ordinance would excite much discontent, and that it might lead to an attempt on the party of certain wealthy and dissatisfied Men to carry it (nevertheless) into effect. It is impossible for Gentlemen at a distance to form an accurate idea of the embarrassments I have been Subjected to in this Territory, and the difficulties I have passed through.

To conciliate the Public Sentiment I have occasionally resorted to expedients, which at the Seat of Geovernment may appear improper. Perhaps I was wrong in granting a charter for a Bank, but my motives were honest and Patriotic; the effect intended was in fact produced, and however I may regret that any act of mine should meet the displeasure of the Executive my conscience will acquit me of intentional error. Friend Isaace Briggs and Robert Williams of North Carolina should they have reached the Seat of Government will I am sure do me justice in the representations which they may make of my public conduct.

How far General Wilkinson will be disposed to serve me I am yet to learn. While in this City he was neither my private nor political friend. We nevertheless maintained a friendly intercourse and parted apparently on good terms. I however must be permitted to observe to you (in confidence) that I never will again undertake a duty in conjunction with another person possessing like powers with myself. *Three* may accord but *two* never can; and in this case, nothing will be done or the Busi-

ness will be conducted in a way not pleasing to either, and perhaps not Satisfactory to the Government.¹

Accept my best wishes

Your Friend

(Signed) Wm. C. C. Claiborne

The Honble.

James Madison

Secty. of State

To Thomas Jefferson.

New Orleans 29th May 1804

Dear Sir,

Since my last Letter, I have understood that, a half Section of Vacant Land, might probably be located adjacent to this City, and immediately bordering on the Canal of Carondelet. This Land lies low, and is often covered with water, but I learn it might easily be reclaimed, and there can be no question, but it will soon become valuable.

The Public property in New Orleans is considerable, and would command lucrative Sales; but I hope Congress may deem it expedient to present the City with all the unimproved Lots belonging to the United States. They are well calculated for Public Walks, and to appropriate them as such, would not only beautify the Town, but contribute greatly to the Health and comfort of the inhabitants. It may also be a matter of consideration, whether it may not be adviseable to present to the City, for the Benefit of a Free School certain improved Lots belonging to the United States, and perhaps it may be proper to appropriate to the same object Such Public Buildings

¹ It is well known that the relations of Claiborne and Wilkinson at this time were not harmonious.

and Lots (not of immediate use to the United States) as may be found, in the different Districts.

I am Sorry to inform you that the Citizens here continue dissatisfied on the Subject of the Slave trade, and I find that many natives of the United States who have emigrated hither and some of the old Settlers are by no means pleased with the Government which Congress has prescribed for them. The Governing of Distant Territories has heretofore been an arduous Task, and I fear Louisiana will not form an exception. A state of dependence naturally leads to discontent, and some will be manifested here: as soon therefore, as the State of Society would permit the change, I should like to see the Representative System in its fullest latitude, extended to this Territory: but I shall always think that Congress acted wisely in not immediately conferring on these people, the privilege of Self Government. A privilege which in a few years would most probably be used with propriety; but at this time I doubt much whether it would not prove a misfortune to Louisiana. Some few Months ago I have heard certain Politicians contend that so far from a Representative System, nothing but a Military Government would do for the Louisianians. To this Doctrine I never could consent, nor did I ever hear a good reason in support of such opinions, but these same Politicians believing now that the people would be better pleased with the power of electing their council, join in censuring the act of Congress.

Such duplicity or inconsistency may answer temporary purposes, and may possibly secure a momentary Share of popular applause, but it is impossible that those who practice it, can in the end be benefitted. I do not know whether the characters to compose the Legislative Council have yet been Selected, but should a Selection not have been made, I pray the liberty to mention three or four Gentlemen, who I am persuaded would discharge

with fidelity any confidence which may be reposed in them. The Gentlemen alluded to, are, Mr. Julien Poydrass of Point Coupee, Bellechasse Deville Degoutin, of the first German Coast, Benjamin Morgan and John Watkins of New Orleans.

Mr. Poydrass is a worthy man, of honest reputation, good information, and understands the English language. Bellechasse is at present Colonel Commandant of the Militia, and is unquestionably the most popular Man in Lower Louisiana. Mr. Morgan is a Merchant of this City formerly of Philadelphia a man of business and great integrity, and with respect to Doctor Watkins I can only add that the opinion, I gave of him in a Letter which I heretofore had the honour to address you, remains unaltered. I have the pleasure to inform you that, the most perfect good order prevails in this City, and as far as I can learn throughout the Territory.

The Louisianians or rather the Natives of Louisiana, are a pacific amiable people much attached to this Country, and to peace and good order: but many adventurers who are daily coming into the Territory from every quarter, possess revolutionary principles and restless, turbulent dispositions:— these Men will for some years give trouble more or less to the local Government, and will unquestionably excite some partial discontents, for although the Louisianians are by nature as amiable a people as I ever lived among, yet for the want of general information they are uncommonly credulous, and a few designing intriguing men may easily excite some inquietude in the public mind.

With Sentiments the most Respectful, I have the Honour to Subscribe myself your faithful friend

(Signed) Wm. C. C. Claiborne

Thomas Jefferson
President of the United States

From James Madison to Gov. Claiborne.

Washington 1st May 1804
Department of State

Sir,

I have received your Letters of 15th, 16th, and 2nd of March. Letters lately received from our Ministers at Paris and Madrid communicate the agreeable information that the King of Spain has formally receded from his objections to the transfer of Louisiana to the United States.

The emoluments and allowances which you are authorized to charge to the United States in consequence of your removal from the Mississippi Territory are settled on the following footing Viz. From the receipt of your Commissions as Governor and Commissioner until the Country was delivered on the 20th December last you will be allowed your Salary as Governor of the Mississippi Territory and your actual expences not exceeding the rate of \$400 Per Month, and from the period last mentioned at the rate of 5,000\$ Per Annum including your Salary as Governor of the Mississippi Territory and exclusive of expences other than personal, such as those of a Secretary, printing, translating, expresses &c whether incident to your Office of Governor or Commissioner.

I have transmitted to you several copies of the Law for dividing Louisiana into two Territories and organizing therein new Governments after the first of October next. It will be desirable in order to enable Congress to pass the appropriations necessary for their support, that you should transmit to me a detailed estimate of the whole expense to be incurred in the Southern division of it according to the Principal of the act above referred to

On the very important and delicate Subject of the

Bank you have thought yourself authorized to create, I expect, to have the directions of the President to convey his Sentiments on his return from Monticello where he now is and will remain Some days longer. Two dozen of Blank passports are herewith enclosed.

I have the Honour to be Sir with very great Respect
Your obdt. Sevt.

(Signed) James Madison

Governor Claiborne

To James Madison.

New Orleans 30th May 1804

Sir,

I was honoured on last evening with the receipt of your Letter of the 1st instant. I consider peace as the greatest of National blessings, and there is nothing I should more lament than to see my country involved in war with any European Powers; the formal recession therefore of the King of Spain from his objections to the Transfer of Louisiana to the United States affords me great pleasure; but I must confess I should feel additional Satisfaction, if the limits of the Ceded Territory were ascertained and acknowledged; I fear the Spanish Court, will not readily admit that any part of West Florida is included in the Treaty of Ildefonso; at least the Officers of Spain who are here, deny that, the Treaty is capable of such construction and I am sorry to find that many of our Citizens avow a like sentiment: it is probable however, they are influenced by interest, for many are concerned in Morale's Speculations, and I give it to you as my opinion, that, there is very little Land in West Florida, but what has been surveyed and is now claimed: if therefore it should unfortunately happen, that a Second Negotiation Should be resorted to, in order

to acquire the Florida's the Government ought to recollect that it can acquire little vacant Land unless Morale's unjust Sales should be formally disavowed by his Catholic Majesty.

I cannot object to the determination of the Executive with respect to my emoluments and allowances but from a Paragraph in your Letter of the 31st October (thought myself authorized to charge 400 Dollars Per Month for my Services as Governor &c of Louisiana, exclusive of my Salary as Governor of the Mississippi Territory.—The Paragraph I allude to is in the following words “no particular provision is yet made as compensation for the new Service in which you are to be employed. The president authorizes you for the present to draw on the Department of War, at a rate not exceeding \$400 Per Month to be computed from the commencement of your Journey to New Orleans”

I have made this quotation in order to justify myself for having heretofore charged (as you will discover by my accounts forwarded to the Secretary of the Treasury) for my extra compensation at the rate of \$400 Per Month; I made the highest charge which was allowed me, under an impression that, it would not be disagreeable to the President, when I assured him that it fell far short of my actual expenditures. Perhaps there is not a place on the Continent of America where a public Officer is subjected to such heavy expences as New Orleans, and that the Markets are exorbitantly high every one who has visited this City must know; the probability is, that my expences may hereafter be considerably curtailed, but on the first change of Government it was impossible to avoid the receiving of many visits and the entertaining many respectable Citizens and Strangers.

Perhaps it may be proper for me, in this place to observe that, the Bill drawn upon the Secretary of War, for the personal expences of the Commissioners (the vouch-

ers for which are carried on by General Wilkinson) was with me a matter of necessity. These expences it was impossible for me to meet, for permit me to say that, the whole of my compensation was expended in the purchase of furniture &c for the Government House which was occupied by the Commissioners, and for defraying some necessary personal expences.

I still hope when the Government recollects the heavy expences to which the Commissioners were unavoidably Subjected that no exceptions may be taken to their draft. I repeat that as long as my private or public emoluments held out I met the private charges incident to my Mission. My expences from the Mississippi Territory were defrayed by myself: all the furniture essential to the comfortable accomodation of the Commissioners (except a few Articles such as Glass Wares and two small Tables not exceeding in value 100\$) were purchased out of my private funds, and which by use was considerably diminished in value. During my short residence in this City I have expended 715\$ more than my compensation, and if the draft of the Commissioners for their personal expences should not be approved of I shall indeed be a considerable loser by the Mission; but whatever the determination of the Government may be I shall not complain.

I will now Sir proceed to a Subject which has of late occasioned me some inquietude, I allude to my Ordinance creating the Louisiana Bank. In a late letter from the Secretary of the Treasury, that measure is greatly censured, and in a manner which authorizes me to think that I am so unfortunate as to have incurred a great share of Mr. Gallatins displeasure.

In justification of my conduct on the occasion alluded to, I beg leave to State that I viewed a Bank as an institution more particularly of Territorial concern; one too, that was greatly desired by the Citizens and which (Judg-

ing for the prevalence of the Banking System in the United States) I was of opinion, would be of great public benefit, I had not the most distant idea, that the Louisiana Bank would in the least degree prove injurious to the fiscal arrangements of the United States:— On the contrary I supposed it would Serve as an accomodation to the Revenue Department. The Acts of Congress which conveyed the wishes of the Government with respect to the National Bank *as respected Louisiana*, I had no knowledge of at the time my ordinance was passed, nor of the wishes of the Secretary of the Treasury to establish a Branch Bank in New Orleans. With respect to my powers, I always thought, myself, that my power to grant a charter was questionable, but the opinions of others here, appeared decided, and from considerations of political expediency I finally adopted the measure. Upon the exercise of cool reflection I cannot charge myself with blame;— my motives were pure and the object contemplated, was in part effected. The ordinance in question was not hastily adopted; it was rather extorted from me by imperious circumstances: the pressing Solicitude of the Citizens, and the probability there was that it would tend to allay an alarming ferment which at that time existed in the Public mind. God knows and I trust my general conduct will prove the fact to my fellow men, that I am not arrogant of power, or desirous of extending my authority beyond its legitimate limits. The exercise of the high trust with which the President honoured me was accepted in full expectation that my discretionary powers would soon have ceased; I saw the difficulties which were in my way, and entered upon my duties with a Sincere diffidence: I knew that I hazarded much by the undertaking, for I was well aware that should any misfortune attend my administration, it might eventually terminate in the loss of my political reputation, which, *humble as it is*, is to me an invaluable Treasure. Upon this

Subject, I have written fully to Mr. Gallatin and to whom I refer you. The Louisiana Bank, will I believe fail of itself, and I think it most expedient to permit it to take that course, I shall however await the instructions of the President. The estimates which you require of me, shall be transmitted by the ensuing Mail.

I am Sir with great Respect and esteem

Your obdt. Sevt.

(Signed) Wm. C. C. Claiborne

The Honble.
James Madison
Secty of State

From Gov. Folch to Gov. Claiborne.

(Translation)

Sir,

In the Monitor No 396 & 397, published in your Capital the 12th & 14th of the last month, I see translated into French, the acts which fixes the impositions and collections of duties, on goods to be imported into the Ports of the United States, and having observed with much astonishment that, the Port of Mobile is comprehended in them and that the Territories now composing West Florida, the care of which his Majesty has been pleased to trust to me, are also included as possessions of the Said States, I would be guilty of a great neglect of duty, if I should remain a quiet Spectator of so manifest usurpations on the indubitable right of Sovereignty which his Majesty has over said Florida. Such a resolution cannot be attributed to error; for this has always some cause, which in the present case does not exist for the reasons hereafter exposed.

The United States pretend that the limits of their purchase extend to the East as far as the *River Perdido*,

because in ancient times that was the Boundary of the Government of Louisiana on that side; but as France Ceded it to Great Britain by the Treaty of Peace of 1763 all the Space of Land comprehended between the Mouth of Iberville River and River Perdido; which extent was conquered by the Arms of his Majesty during the War of 1779 it results that the United States have less right to claim that Territory than his Majesty had, when he received Louisiana from France, to demand all the Space of Land comprehended between Pittsburg, anciently called Fort Du Quesne, and the confluence of the Ohio with the Mississippi, Ceded in the above mentioned Treaty by France to *England* to which then belonged the Colonies, now called the United States, and I say the United States have less right to claim this Province, because your Excellency that the right of Conquest is much preferable to the right of Cession.

The Case is perfectly the same at present; and if the United States think that their limits extend as far as the River Perdido, for the reasons they alledge, they are opening a field for his Majesty to make use of the right which he did not claim to the above mentioned Territories, when he took possession of Louisiana, because he did not then consider it as lawful; nor would he yet consider it so at present were it not for the resemblance which presents the pretensions now expressed by the United States.

Imitating the same mode of Argument which the United States make use of to obtain what accomodated them, that is to say, to demand the Province of Louisiana such as it has been, and not such as it might be proved to them, that, Ponce De Leon who was the first European who landed on the Coast of Florida in the year — took possession of it in the name of his Majesty, according to the custom of those discoverers. It is likewise known

that in the year Subsequent to that date, it was understood that Florida comprehended all the Space between the Gulph of Mexico and the Northern extremity of the Territory now occupied by the United States:— therefore if provinces can be claimed for what they have been, Spain shall have to give up West Florida, but for the same reason the United States will deliver to Spain Georgia, South & North Carolina &c I now ask your Excellency what name would the United States give to such a pretension, on the part of Spain: Whatever it might be, it is the same that suits, in my opinion, the present claim of the United States.

Your Excellency will recollect that by the Treaties of St. Ildefonso dated 1st. October 1800 and of Madrid dated the 21st March 1801, the Court of Spain receded to the French Government the Province of Louisiana, and as the word *recede* has a determined Signification which your Excellency knows as well as I do, you will also know that, in the recession of Louisiana to France could not be included West Florida, which his Majesty conquered many years after he was in possession of Louisiana, unless so stipulated by an Express clause: this clause does not exist; therefore, there can be no ground for the pretension of the United States. In virtue of what is above expressed, and of what my duty prescribes to me — I do protest in a formal and solemn manner against the Act of Congress above mentioned, declaring to your Excellency, and by your Agency to the Government of the United States that, I am obliged and am resolved to oppose, by force, if necessary, any act of Authority which the United States or any individual in their name should pretend to exercise within his Majesty's Territory, and not to suffer any offence against the dignity of his Sovereignty; he being answerable for the consequence who shall be precipitate Steps or ill grounded pretensions,

disturb or alter the harmony and good understanding now existing between our respective Nations.

May God grant your Excellency a long life.

(Signed) Vincente Folch

Pensacola 1st May 1804

His Excellency Governor Claiborne

I certify the above to be a true and faithful translation.

(Signed) P. Derbigny Interpreter to Government.

To Gov Folch

New Orleans June 2nd 1804

Sir,

I have the Honour to receive your communication of the 1st Ultimo, announcing your objections against the late act of Congress which, among other provisions extends (you inform me) the Revenue Laws of the United States to that part of the Province of Louisiana, the Sovereignty of which, notwithstanding the Treaties of St. Ildefonso and of Madrid, you Suppose still appertains to the Spanish Crown under the denomination of West Florida.

To the difficulties you have raised and the reasonings you have advanced on this Subject, I have paid every attention; the Source from which they flow demands my highest respect; but excuse me in adding that they have failed to excite in my mind either any doubt as to the rights of the United States contemplated by the Act alluded to, or to justify in the Smallest degree the heavy charge of usurpation which you have alleged against the Proceedings of Congress. But it does not fall within my duties to enter into any Diplomatic Discussion with your Excellency. That the right of conquest is preferable to that of Cession is a Doctrine to which I can never subscribe; but one which I at present do not feel myself at

thing at that period wore an aspect of disaffection which if confirmed, might not easily have been diverted. The attachment of the Citizens to the Government I thought an object of primary importance, and that it became my duty to do every thing in my power to effect it.

The Moment was critical, and I felicitated myself in the opportunity which the Merchants afforded me, of detaching them from the discontented party. With respect to the advantages arising to the Commonwealth from such institutions, I do not presume to decide; but the Merchants whose interests are almost exclusively involved in them; have in this instance and on that point relieved me from all responsibility. When I passed the ordinance it never occurred to me, that any but the Territorial *Interests* were involved in it, nor am I yet Sensible how *those* of the United States can be effected by the proposed establishment.

It seemed to me that the Merchants of New Orleans might with propriety claim a benefit (a Bank) which did not appear to be denied to any one commercial City on the Atlantic Coast. With respect to my powers I must confess, I thought them somewhat doubtful but the best informed people here, thought them commensurate to the object. It was represented to me, that the Trade of the Colony (excepting as to revenue) has occasionally been considered as an object of provincial regulation, and that the Spanish Governors had often granted commercial monopolies particularly in the Indian Trade. It was further confidently stated to me, that Don André De Armesto (late Secretary to Louisiana under the Spanish Government had given an opinion that, the powers of the Governor to erect a Bank, if he thought the establishment expedient, was indisputable. Viewing therefore the question as to power, at least doubtful, I yielded to considerations of political expediency.

There is one of Mr. Gallatins objections to the Louis-

iana Bank, which time will remove, I mean his fear that it may prove destructive to the Branch Bank of the United States; for, it is the general opinion (and which I believe to be correct) that were the Louisiana Bank in full vigour, a Branch Bank might also be established, which would completely answer the object, and fulfill the expectations of those who sent it.

As to a repeal of the incorporation of the Louisiana Bank, I fear it might involve some questions of difficulty and create some partial discontents here. Perhaps it is fortunate (if its suppression is deemed advisable) that the Scheme is likely to fall by its own weakness. The institution has for some time lingered, on Scarcely a moiety of its incipient Capital, and the opinion of the Secretary (which is known) as to its legal existence will I believe prove fatal to it. I conceived it a duty due to my character and feelings to give you this Summary of the facts and reasonings which induced and will go I trust, to justify my conduct on this occasion;— but should I not succeed in conveying to your mind a conviction in my favour, I shall consider the establishment of the Louisiana Bank as the most unfortunate act of my political life. But this consoling reflection will remain to me, that if I have committed an error, it was one, into which I was betrayed by an honest zeal for the Service of my Country. If I have exceeded the bounds of my Authority, it was not to gratify any little vanity, or idle thirst for power: If I have acted contrary to the wishes or intentions of my Government, it is because I knew them not: if I have thwarted any favorite fiscal arrangement I sincerely regret it:— But I cannot be justly censured for opposing what I never had an intimation of.

In Sanctioning the Establishment of the Louisiana Bank, my God knows, that I had no private views to promote, no personal friends to gratify. As far as I am concerned to an unaccusing conscience I can appeal, and

assert, that the measure flowed from as pure motives of innocent and honest Patriotism as ever guided a public Functionary.

I pray you to pardon the Liberty I have taken in addressing you this Letter, and permit me to subscribe myself

With Sentiments the most respectful

Your faithful Friend

(Signed) Wm. C. C. Claiborne

Thomas Jefferson

President of the United States

To James Madison.

New Orleans 3 June 1804

Sir,

On yesterday James Pitot, and Edward Livingston attended at my office and handed me the communication which is herein enclosed. After persuing the same, I replied verbally, that "the People had a right peaceably to assemble together for the purpose of remonstrating against grievances; but it became those who produced such assemblages to be Watchful of the public peace, and to prevent tumult and disorders:— that a few months ago public meetings would not have been pleasing to me, because there were then many persons in Louisiana, not interested in its permanent welfare, who might labour to give an improper direction to the public deliberations; but at this time we were less liable to the intrigues of designing Men and can with more certainty designate those who have an an interest in, and an attachment to our Country." Upon the Subject of this act of Congress, I observed, that, on investigation, its principles would, in my opinion, be found well adapted to the local situation,

and interests of Louisiana; but if there were any particular provisions which were disagreeable to the people or in their opinion, would prove injurious to Louisiana, a respectful memorial to Congress, was the only mode of obtaining redress, and there can be no doubt, but such memorial would have due weight."

The particular object of the Characters who I learn were most active, at the late Meeting,¹ I do not know; but I am inclinde to think that, under the Treaty, they suppose Louisiana is entitled to immediate admission into the Union as a matter of right, and the fulfilment of the Treaty in this particular will be the primary request which is to be made of Congress.

Mr. Daniel Clark, Mr. Edward Livingston, Mr. Evan Jones, Mr. Bore late Mayor of New Orleans and about twenty other inhabitants of the City and its Vicinity composed the meeting spoken of; but I understand the Gentlemen I have named were the most active agents.

I have the Honour to be with esteem and respect Sir
Your most obdt. Sev't.

(Signed) Wm. C. C. Claiborne

The Honble.
James Madison
Secretary of State

Extract of a Letter to the Honourable James Madison, Secretary of State, dated New Orleans 3rd June 1804."—

"I have good reason to think that intrigues the most ungenerous have been practised, and representations the most uncandid have been made against me. My Talents

¹A meeting of merchants and planters was held June 1 to petition Congress to repeal the provision of the act of March 26 dividing the Territory, restoring the importation of slaves and regarding the immediate admission of Louisiana into the Union.

have been questioned because I would not be influenced by the Councils of Men in whose judgments or integrity I placed no confidence, and my firmness doubted, because I would not act the Tyrant.

It is very probable that I have committed many errors for I was always distrustful of my abilities to execute with propriety the high Offices conferred upon me. My duties have been various and arduous, and although I may not have discharged them in a manner altogether pleasing to the Executive, yet I am persuaded my conduct would have been infinitely more exceptionable, had I pursued the policy which two or three characters here so strongly recommend. It was often predicted by these Men, that, my want of *energy*, (as they termed it) would throw Louisiana into a State of insurrection, and in the course of the first two or three months after my arrival, I was repeatedly told that, nothing but force would insure the Public tranquility. Close imprisonment and even banishment was seriously advised as a just punishment for those who manifested discontent at the change of Government: but I never saw, myself, a necessity for arbitrary measures, and it will remain a permanent consolation to me that during Six Months of my administration in Louisiana, and amidst many difficulties not a Single individual has experienced the Severity of the Law. This clemency or rather *conciliatory justice*, men who are Tyrants in principle have called a want of energy;— but experience have proved that it was a wise policy, for the effects have been a continuance of good order, and an increase of union in the public Sentiment.

(Signed) Wm. C. C. Claiborne

To the Marquis of Casa Calvo.

New Orleans 5th June 1804

Sir,

I have had the Honour to receive your Letter of the 23rd Ultimo relating to the claims of Don Joseph Orne against Madame Castillon, and the final decision thereon by the Supreme Court of Appeals at the Havana. By virtue of the Authority in me vested by my Government, it is not in my power to carry into Execution the judgment of any foreign Court of Judicature without an Examination into the merits of the case: permit me therefore, to recommend to your Excellency that the claim in question, be brought before my Court, by the usual mode of petition, and then, on the Trial of the cause, the judgment of the Court of the Havana may be given in evidence to prove the Debt.

I have the Honour to be, with great esteem and respect

Your obdt. St.

(Signed) Wm. C. C. Claiborne

His Excellency

The Marquis of Casa Calvo

To Antoine St. Amand.

New Orleans 6th June 1804

Sir,

I have received with much pleasure your Letter of the 24th Ultimo and request you to accept my acknowledgements for the full and Satisfactory account contained therein, in answer to my circular letter of the 28th of March last.

I shall take the earliest opportunity that the multi-

plicity of my occupations will allow to reply to your communications in a more particular manner, and in the mean time beg you to accept the assurances of my high respect and consideration.

(Signed) Wm. C. C. Claiborne

Mr. St. Amand

Commandant of the 1st German Coast

New Orleans 6th June 1804

To the Mayor and Municipality of New Orleans
Sir,

I have the Honour to acknowledge the receipt of your Letter of the 4th instant, containing the result of your deliberations upon three subjects very important to the interests and happiness of our common Country, in each of which you may be assured of my prompt Co-operation.

For the better guarding our City against Disease and with the view to a more strict police upon every thing relating to that object either from foreign or domestic causes, I highly approve the Plan proposed by you for appointing a Board of Health. This Board should in my opinion consist of five persons, two of whom should be Physicians. I contemplate therefore, appointing as two of this Board Doctor Dowe and the Physician of the Port and request the favour of you to recommend to me three other persons whom in your opinion are qualified to discharge this important and humane duty. I take the liberty to Suggest the propriety of recommending such Citizens as can speak both English and French.

Your observations relative to Slaves imported into the Country and those improperly taken out of it by Captains of Vessels shall be attended to, and the necessary instructions given as Speedily as possible, and I beg you

to be assured that if any delay should apparently attend the consideration or execution of measures which you may suggest for the Public Good that it proceeds not from a neglect of duty but from the multiplicity of my public occupations.

I have the Honour to be with respectful consideration

Your obedient Servant

(Signed) Wm. C. C. Claiborne

The Mayor &c

An Ordinance

Enlarging the Monthly Sessions of the Court of pleas for the City of New Orleans

By William C. C. Claiborne, Governor of the Mississippi Territory, exercising the powers of Governor General and Intendant of the Province of Louisiana.

Whereas it hath been represented by the Court of pleas of the City of New Orleans that, the present Term of the Monthly Sessions of said Court is insufficient for the due dispatch of the Business thereof. It is ordained that the said Court may sit for a Term not exceeding Six days in each and every month from the date hereof.

Given under my hand and the Seal of the administration, at the City of New Orleans, the Sixth day of June and in the 28th year of the Independence of the United States.

[S. L.] (Signed) William C. C. Claiborne

By the Governor

Joseph Briggs P. Secty. Pro tem.

To James Madison.

New Orleans 7th June 1804

Sir,

On my arrival in Louisiana I was frequently applied to by different persons for permissison to trade with certain Indian Tribes West of the Mississippi and within the Province of Louisiana.

With a view of conciliating the affections of the Indians by preventing unjust and unprincipled Men from participating in their trade, I gave instructions to the Commandants of Frontier Posts to recognize no one as an Indian Trader, unless such person had previously obtained from a former Governor of Louisiana a *License* in writing *for a period not yet expired*, and shall exhibit the *same* to *him* the Commandant, or unless he shall produce a like license from myself.

Since issuing these instructions I have licensed three individuals who came well recommended to me, and whose privilege is to continue during the pleasure of the Governor for the time being or the existence of the present temporary Government. I have lately received a Petition upon this Subject, by which it would seem that a privilege to trade with the Indians, is considered as a Species of private property secured to the Petitioners under Treaty.

I now enclose you this Petition without making any comment thereon;— the inconveniences which would attend the Doctrine that a monopoly in trade, or an office purchased under the former Government must be recognized by the United States will readily present themselves to you reflections, and in this particular case the claims of the Petitioner if admitted, might be at variance with

that unlimited controul over the Indian intercourse, which by the Constitution is vested in Congress.

I have the Honour to be very Respectfully

your obdt. St.

(Signed) Wm. C. C. Claiborne

The Honble.

James Madison

Secty of State

To James Madison.

New Orleans 9th June 1804

Sir,

Captain Turner the Commandant at Natchitoches, in a Letter to me dated the 27th Ultimo says— "Every thing is at present tranquil, and the people appear Satisfied with their condition" He adds "I learn that the Spaniards are strengthening the Garrison at Nacogdoches; that all persons from Louisiana are prohibited Settling on this side of St. Antonio, and no repairs or augmentation of Buildings are to take place until further orders." From every information I can collect I am persuaded that the Spaniards are very jealous of our claims to the Westward, and I am inclined to the opinion, that East and West Florida might both be acquired, provided the United States would consent that the River Sabine should limit Louisiana Westwardly; but on this Subject I can only form conjectures, and I presume by this time you must be accurately informed.

Amidst all my duties here, the most embarrassing are those which I have to discharge in my judicial Character. I avoided taking any Cognizance of Civil Suits as long as I could; but being pressed by the Citizens and finding their Interests so immediately involved, I was at length compelled to hold regular Courts, and I can assure you

my Docket is becoming very much crowded. The Commerce of the City is so extensive, and the old claims so numerous that many and complicated cases frequently occur. Having but a very imperfect knowledge of the French language, and understanding nothing of the Spanish: being still inaccurately informed of the Spanish Laws, and having for some years been unaccustomed to law proceedings, it is certainly true, that I am often embarrassed, but I proceed with all the industry and patience which I can possible exercise, and I believe, I have thus far given general Satisfaction. In all criminal cases of a Capital Nature I have avoided the taking any kind of Cognizance: these must be referred to the Supreme Court of the Orleans Territory. In some few petit offences I have directed the Trial and awarded judgment.

I have heard Mr. Duponceau of Philadelphia mentioned here as the person who will probably be appointed Justice of the Orleans Territory, if this report should prove true, I believe it will be very Satisfactory. Mr. Duponceau's intimate acquaintance with the French language will strongly recommend him to the Citizens and will be a great convenience to him in the discharge of his Official duties. We have also a report here that Mr. Munroe will probably be the permanent Governor of the Orleans Territory. Permit me to say to you, with perfect candour that, no one will more cordially approbate that appointment than myself. Mr. Munroe's services eminently entitle him to the public confidence and his experience and talents particularly qualify him for that important Office. I further believe that an appointment more pleasing to the Louisianians could not be made.¹

At present Sir, the most perfect good order prevails, and it will be my greatest and first care to preserve the

¹ This generous attitude shows character of high quality.

present happy tranquility during the existence of the temporary Government.

I am Sir very Respectfully

Your most Obedt. Servt.

(Signed) Wm. C. C. Claiborne

The Honble.
James Madison
Secty of State

To Henry Dearborn

New Orleans 9th June 1804

Sir,

Colonel Freeman arrived here a few days ago; he found the Army in a good State of Discipline and I can with truth Say, that not a single complaint for several months past, has been made to me by the Citizens against the Military. I have no doubt, but this good order will continue under Colonel Freemans Commands;— he is I believe an experienced Officer, and his knowledge of the French language, and his religion, (being a Catholic) will render him particularly pleasing to the Louisianians. Colonel Freeman is an old acquaintance of mine, and while we remain at the same Post, there is no doubt but a friendly understanding will exist between us.¹

I have only to regret that the pay and emoluments attached to a Colonel in our Army will scarcely be Sufficient to Support Colonel Freeman in this expensive City; I have however, put the Colonel in possession of a Public Building, and the charge of house rent being saved, perhaps with Economy he may be enabled to live on his pay.

I appointed two Majors to the Battalion of Free people of Colour, and deemed it advisable to select Gentle-

¹ This friendly feeling between the civil and military authorities was of short duration.

men in whom I could place entire Confidence. Mr. Fortier a native of Louisiana a Merchant in this City, and a man of great respectability, I appointed the Senior Major, and Mr. Lewis Kerr, who lived sometime in the Mississippi Territory, and came to this City a member of my family (the Junior Major.) The Battalion was desirous of being commanded by people of their own Colour, and some dissatisfaction prevailed, but on yesterday the Company Officers and several of the most influential men among them, paid me a visit, we had a long conference relative to the Battalion, and I have the pleasure to inform you that the Majors I had appointed were cordially acknowledged, and every appearance of discontent removed.

The objections were made particularly to Major Fortier, Major Kerr I understand is a great favorite with the Battalion.

I have the Honour to be Sir very Respectfully

Your most obdt. Servt.

(Signed) Wm. C. C. Claiborne

The Honble.

Henry Dearborn

Secty. of War

To Edmund Merrillon

New Orleans 9th June 1804

Sir,

Your Letter of the 24th Ultimo has been duly received, and I beg you to accept my acknowledgments for your exertions in the preservation of order in your District. The facts Stated in that Letter as complaints brought against the Alcades of the Avoyelles by some of the Inhabitants, not appearing to me sufficiently important to require their removal I beg you to encourage

their perserverance in the discharge of their duties. State to them the necessity of punctuality and the most prompt and impartial execution of justice. You have done right in taking off the contribution on Spirituous Liquors, and you are requested to permit no Tax of that kind until further instructions upon the Subject.

I am Sir with Sentiments of Respect

Your obdt. Sevt.

(Signed) Wm. C. C. Claiborne

Mr. Edmund Merillon
Commandant at the Rapids

To Blanque

New Orleans 12th June 1804

Sir,

It is represented to me by the Harbour Master (Captain Davis) that he cannot procure places on the vicinity of the Levee for Vessels to discharge their Cargoes without ordering from the Levee some vessels taking in their freight; the Harbour Master adds that, the Brig Citizen owned by yourself is one of the Vessels which he is compelled to remove (temporarily) from the Levee in order to comply with that regulation of the Port, which directs that a Vessel discharging, shall have preference of those taking in their Cargo.

I hope therefore you will be good enough to direct the Captain of the Citizen to conform to the direction of the Harbour Master, who I am persuaded will restore the Citizen to her position, as soon as the State of Commerce, and the regulations prescribed will permit.

I have the Honour to be Sir with great Respect

Your obdt. Sevt.

(Signed) Wm. C. C. Claiborne

Mr. Blanque

To Major Pitot

New Orleans 12th June 1804

To the Mayor and Municipality of New Orleans
Gentlemen,

I transmit to you an address from the Syndic and Inhabitants of the Bayou St. John respecting the injuries which in their opinion will result to the Navigation of that Stream, from the deposits of Earth and Sand made therein; by the waters flowing along the Canal of the Mill of Mr. Bernard Marigny. This Subject appearing to me highly interesting to the prosperity of our City, I request you to cause an investigation to be made therein, and to transmit to me the result thereof, and your opinion as to the best means to be employed to remedy the evils should any exist.

I have received your two Letters of the 9th instant the one containing the number of Militia in this City and its environs, and the other the names of the persons which you have thought proper to recommend as Members of the Board of Health. I beg you to accept my acknowledgments for the same, and to believe in the Sincerity with which I have the Honour to be

with considerations of high respect and esteem

Your obdt. Servt.

(Signed) Wm. C. C. Claiborne

James Pitot Esqr.
Mayor

From Patrick Walsh to Gov. Claiborne

Dear Sir,

The Lady Abess of the Ursuline Convent requests you will be pleased to accept of a *Fan* as an offensive and defensive Weapon against our common Enemy the

Musquitoes, but to common and troublesome indeed at present. I send it by the bearer at her reverence's own request, who conceives that this small token of her gratitude may possibly derive some additional value from my interposition or interference.

D Sir Your Sincere friend and Humble St.

(Signed)

Patrick Walsh

Vicar Genl of La.

His Excellency

Wm. C. C. Claiborne

New Orleans 12th June 1804

To Patrick Walsh

New Orleans 13th June 1804

D Sir

As you have been so obliging as to convey to me the much esteemed present of the Lady Abbess, I flatter myself that you will have the goodness to present here in return my Sincere thanks for this token of friendly remembrance.

The *Fan* presented to me will not only serve as a defence against the troublesome insect of which the Abbess Speaks, but the beauty of its Colour and the neatness of the Work will continually remind me of the innocence, virtue and usefulness of the amiable donor and of the Venerable Order over which she presides.

I pray you Sir to receive assurances of my Sincere and respectful attachment

The Revd.

(Signed)

Wm. C. C. Claiborne

Patrick Walsh

To James Pitot

New Orleans 14th June 1804

To the Mayor and Municipality of New Orleans
Gentlemen,

In my last Letter to you I acknowledged the receipt of yours containing the names of those Gentlemen whom you thought proper to recommend as Members of the Board of Health. I now take the liberty to request that you would by an Ordinance define the duties of the Board and the different objects to which their attention should be called. The Sooner your regulations shall be promulgated the greater will be the Security of our City from the Calamities of either foreign or domestic disease.

I have the Honour to be with considerations of high respect

Your Obdt. Sevt.
(Signed) Wm. C. C. Claiborne

James Pitot Esqr.
Mayor

To Albert Gallatin

New Orleans 14th June 1804

D Sir,

The Louisiana Bank I am now persuaded will fail without any interference of the constituted Authorities. For some time past no shares have been taken, and by adverting to the third clause of the ordinance you will discover that unless the Capital required is Subscribed and the directors elected previous to the first Monday in January next the institution must fall.

I must confess that this act of mine is a Subject of

Serious regret because it is disapproved of by those whose good opinion and confidence I am most desirous of deserving. My former letter to you upon this Subject will explain fully my motives, and I trust remove all unfavorable impressions. I had no private views to answer, no favorites to serve: At no period of my life did I ever possess funds or inclination to adventure in speculations of any kind, and while in the exercise of a public duty, I am not sensible of receiving a bias from private friendships. I make to you this declaration, because in a private Letter from a friend at Washington, he says, "I heard it suggested the other day that Governor Claiborne might be personally interested in the Louisiana Bank."

I am well aware, that it would have been proper, to have inserted in the Bank ordinance a clause rendering the approbation of the future constituted Authorities essential to the continuance of the charter. This I was Solicitous to do, but discovering that it would defeat the effect intended, to Wit, the allaying of political discontent, I ultimately Sanctioned the measure in the Shape you have seen it.

I have the pleasure to inform you that every thing is tranquil in Louisiana.

With great respect and esteem, I am D Sir

Your obdt. Sevt.

(Signed) Wm. C. C. Claiborne

The Honorable

Albert Gallatin

Secty. of the Treasury

From Gideon Granger to Gov. Claiborne

Washington April 12th, 1804
General Post Office

Sir,

As I do not possess that degree of information which enables me to select the proper places for Offices, or the proper characters to fill them, on the New Post road between Loftus Heights and New Orleans, I have taken the liberty to direct to you a number of Blanks suitable for appointments as well as a number of rolls each of which contains every thing necessary for an office:— they will be received by a Vessel now about to Sail from Philadelphia. I pray you Sir to designate the proper places and characters for these Offices and to cause some one of the persons under you to fill up the Blank address and forward the papers accordingly.

It appears to me the appointment of some of the old Spanish inhabitants in West Florida would be useful in more respects than one. It would be conciliatory and gratifying to their feelings and at the same time an exercise of our National Authority in that Province.

I am Sir with the highest esteem and Respect

yours

(Signed) Gideon Granger

His Excellency
Wm. C. C. Claiborne

To Thomas Jefferson

New Orleans 15th June 1804

Sir,

At the particular request of the Superior of the Convent in this City, I have the Honour to enclose you a communication from the Ursuline Nuns.

These respectable Ladies merit and possess a great

share of the public esteem; their conduct is exemplary, and their time is usefully employed in the Education of female youth. During my short residence in this City, I have paid the Nuns very great respect and given them every assurances of the protection and friendly regard of the Government of the United States. I believe I have succeeded in conciliating their affections, and rendering their minds tranquil; it seems however, that they of late, entertain some fears that their Property cannot be Secured to them and their Successors without an act of Congress, and I understand that it is on this Subject they have addressed you.

This City continues Healthy and the American Society increases rapidly.

The Lady and Family of my friend Mr. Trist, and several other genteel families from the United States have within ten days past arrived in this City. I have the pleasure to add that Mrs. Claiborne is now with me she reached this City on the 4th instant after a passage of forty days from Nashville in Tennessee.

With Sentiments the most Respectful I have the Honour to Subscribe myself your faithful friend!

(Signed) Wm. C. C. Claiborne

Thomas Jefferson

President of the United States

Circular

To the Notaries-public for the City of New Orleans

Sir,

From various complaints which have been made to me, in the course of a few days past respecting the exorbitant demands of the Notaries Public's Services rendered in their official character, such for example as

charging from Six to ten, fifteen and twenty dollars for Bills of Sale, Deeds and other documents, and for which agreeably to the regulations of the Spanish tariff you were not entitled to more than two, and two and a half. I deem it my duty to inform you that until the constituted authorities of Louisiana shall prescribe the fees of No-aries Public you are not authorized to demand a greater compensation for your Services than was allowed under the Spanish Government for like Services.

I address to you this letter in full confidence, that it will for the future regulate your conduct, and that complaints of the nature I have mentioned will not be renewed.

I am Sir very Respectfully

Your obdt. Sevt.

(Signed)

Wm. C. C. Claiborne

New Orleans 15th June 1804

To James Pitot

New Orleans 16th June 1804

To the Mayor and Municipality of New Orleans
Gentlemen,

I send you enclosed a letter from the Physician of the Port which announces the existence of the Small-pox in this City. I beg you Gentlemen to take this letter into early consideration and to adopt the most adviseable measures for the interest and security of the City and neighbouring Country. If this disease could be confined a few days, its progress perhaps for the present, might be effectually arrested, for I have learned with great pleasure that the Vaccine virus has lately been received by several Gentlemen of the faculty who have already

vaccinated many persons with every prospect of communicating the infection.

Accept assurances of my respect and Esteem

(Signed) Wm. C. C. Claiborne

James Pitot Esquire
Mayor

To Col. Freeman.

New Orleans 16th June 1804

Sir,

The officer commanding a small detachment of Troops at Atakapas Lieutenant Henry Hopkins was several months ago appointed by me Civil Commandant of that District. His Official Conduct has been very pleasing to me, and I learn his conciliating deportment, has acquired him the general esteem and confidence of the people. I pray therefore (if the State of the Service will permit) that Lieutenant Hopkins may be continued in his present command: his removal (at this time) would I am persuaded be attended with a serious public inconvenience.

Accept assurances of my respect and esteem

(Signed) Wm. C. C. Claiborne

Colonel Freeman

Commanding U. S. Troops At New Orleans

To James Madison.

New Orleans 16th June 1804

Sir,

I have the Honour to enclose you an estimate of the expense which will attend the support of the Government of the Orleans Territory for one year ensuing the 1st of October next.

The Council being appointed by the President, and their Per diem allowance fixed by a Law of Congress, I have supposed their pay would be drawn from the Treasury of the United States; but I presume all incidental expenses of the Legislature, such as Clerk-hire, printing, Stationary &c &c will be defrayed by the Territory.

I fear the estimate for the contingent fund will have the appearance of extravagance, but from my personal observations, I am persuaded the expenditures I have enumerated must necessarily be made. In the organization of the Government, dispatches must frequently be forwarded into the interior of Louisiana, and until cross-Post Roads are established, private expresses must be resorted to. The Provision for a Private Secretary to the Governor, or, an Assistant Clerk to the Secretary of the Territory I considered as necessary:— It seems to me that the permanent Governor, will have for the first year, more business than himself and the Territorial Secretary can possibly discharge: I at present employ in my Office two Gentlemen the one at the rate of 750\$ Per Annum and the other at 600\$, but from the high price of Boarding and every thing else in this City, I am Sensible, that more Economy than justice has been exercised in the allowance made them; I have therefore mentioned 800\$ Per Annum as compensation for a private Secretary to the Governor. With respect to the Charges for Stationary &c I will observe that this expense will not be so great after the first year; I have procured some Office Furniture (at the public expense) which will be transferred to my Successor; but by no means a Sufficiency for the comfortable accomodation of the permanent Governor and Secretary. I have presumed that the apartments in the Governors house, which I now occupy as offices will remain so appropriated, or otherwise the allowance for Office rent must at least be 600\$ P Annum for I believe the use of a convenient office could not be procured for a

less Sum. The necessity for an Interpreter of the French and Spanish languages you will no doubt readily perceive: The Gentleman I have employed in that character is allowed 60\$ Per Month, and I do not believe the Services of a capable Interpreter could be procured on better Terms.

Accept Assurances of my esteem and regard

(Signed) Wm. C. C. Claiborne

The Honble.

James Madison

Secty. of State

Estimate of the expense attending the support of the Government of the Orleans Territory

Civil List

Salary of the Governor-----	\$ 5,000 :00cts.
Ditto— Secretary-----	2,000
Ditto 3 Judges @ \$2,000 each is-----	6,000

Legislature

The pay of 13 Councillors calculating)	
a Session of 5 Months in a year @ 4\$)	
Per diem)	7,800

District Court

Salary of the Judge-----	2,000
Ditto Attorney -----	600
Ditto Marshall -----	200

Contingent expenses carried forwd_	\$23,600,
Brought forward-----	23,600
Hiring expresses and forwarding dis-	

patches into the Interior of the Terrty....	700
Stationary including office Furniture, fire- wood and Candles.....	500
Translator of the French & Spanish Lan- guages	700
Indian Interpreter	350
Private Secty to the Governor.....	800
	<hr/>
	\$26,650

To Gideon Granger.

New Orleans 17 June 1804

Sir,

Your Letter of the 12th of April came to hand about ten days Since. The rolls to which you referred were received on this day; but the Blanks necessary for making appointments have miscarried. The Vessel by which they came had a long Voyage, and it was Several days after her arrival here, before the packages were delivered, owing to the circumstance that the portmanteau (in which they were forwarded) was directed to the Post Master at Natchez instead of New Orleans.

My Impression is, that for the present four intermediate offices will be Sufficient, between Fort Adams and New Orleans, one of which ought to be at Baton Rouge; but I fear an exception will be taken to an establishment at that place by the Spanish Authorities. I have been formally notified by Governor Folch of Pensacola, that the Exercise of any Authority on the part of the United States in West Florida will be considered by him as an outrage against the rights of the King his Master and that the agent (acting under the Authority of the United States) must look to the consequences. Governor Folch's letter and a copy of my answer thereto have been trans-

mitted to the Secretary of State but I consider the Governors communication as a little rash written at a period when his zeal for the Service of his King had gained the ascendancy of every other feeling, except a Solicitude to attract the attention of his Court and to acquire some additional favour

As Soon as the Blank Commissions are received, I shall select the Post Masters, and will advise you of their names and residence. It is probable that on further search these blanks may be found, but I fear they were not put up in the portmanteau. Major Claiborne continues to carry the mail between New Orleans and Fort Adams; he has made to you (he informs me) a statement of his expenses, and the compensation he thinks himself entitled to:— Our agreement was that the quantum of compensation should be left to you, and I hope you will be good enough to give an opinion thereon, which being done, the amount shall be paid by me. The contract for the express mail was advertised and Major Claibornes bid being the lowest, it was consequently accepted. After the period contracted for had expired, I expected that the carrying of the mail would be under the Immediate direction of the Post Master General and Major Claiborne did agree to take what you should prescribe. I have advanced Major Claiborne 600 Dollars on account, and I must pray you to give an opinion as to the quantum of compensation.

Louisiana is perfectly tranquil, and the temporary Government has got on, much better than I had anticipated. My duties have indeed been arduous, and it is very certain that through want of judgment, I have committed errors, but I think it probable that some of my *acts* may in the United States be deemed exceptionable by those, who would not blame me, could they know the reasons which influenced *them*. To conciliate the public mind, and to check a spirit of discontent, I have some-

times resorted to expedients which (in other situations) I should not have practised. The Louisiana Bank is one of these expedients; It originated from the purest motives of honest patriotism, and however I may regret that any measure of mine should be disapproved of, by the Executive, I can never censure myself for this act.

With great respect & Esteem

Your Most Obedient Servant

(Signed) William C. C. Claiborne

Gideon Granger Esquire.

Post Master General

An Ordinance

To regulate the fees of Magistrates.—

By William C. C. Claiborne, Governor of the Mississippi Territory Exercising the powers of Governor General and Intendant of the Province of Louisiana.

It is ordained, that, the several Magistrates, in, and for this City, Shall be entitled to demand and receive, the following and no greater fees (viz): for every Warrant where the debt is under twenty Dollars, fifty cents, for ever warrant where the debt it twenty Dollars and upwards Seventy five cents; for every warrant, when the debt damage or fine is sued for, to the use of the Public or of the person sueing, one Dollar; on every judgment twenty five cents, for every Subpoena twenty cents; for every execution fifty cents.

Given under my hand, and the seal of the administration at the city of New Orleans the Eighteenth day of June 1804 and in the 28th year of the Independence of the United States

[L. S.]

(Signed) William C. C. Claiborne

To Edward D. Turner.

New Orleans 19th June 1804

Sir,

Your letters of the 27th May and —— Instant have been duly received and I can assure you their contents afforded me much satisfaction. I entertain no doubt, but the measures you have already adopted and may continue to pursue will preserve the present tranquility of your district and promote that System which equally tends to inspire confidence and harmonize Opinion so congenial to the views of the Government towards Louisiana.

It is said that Barker (of whom I spoke in a former letter) sold a small tract of Land adjoining Natchitoches to a citizen of your district who has not yet paid the sum due by contract; if this be the case I pray you to attach so much, or if necessary the whole of the sum due, in order to save Randall from the payment of 500 Dollars for *which* he was Barker's Security. This man Barker is an infamous fellow; I am sorry my friend Sibley ever named him to me, Randall was his (Barkers) Security at my request, and I very much fear without your active agency I shall ultimately have to pay the money.

I am Sir Very Respectfully

Your Obedient Servant

(Signed) William C. C. Claiborne

Captain Turner

Commandant of Natchitoches

New Orleans 22nd June 1804

To Major Fortier

Sir,

I enclose to you for your perusal and instruction, an extract of a letter to me from the Secretary of War, dated the 20th of February in which you will discover

the views of the Government relative to the free people of Colour in and about New Orleans. It being deemed prudent not to encrease the corps but to diminish, if it can be done without giving offence.

You are instructed to *Muster* no free man of colour in your Battalion who resides without the city or suburbs, and you will for the present avoid enrolling any new recruit, assigning for reason, that such is the order of the Governor, and adding that you know not the cause; but you presume, that the Battalion is deemed sufficiently numerous, and that the freemen of Colour not now attached thereto, may hereafter be formed into a seperate corps: You will discover also, the suggestions of the Secretary of War, with respect to the characters of the principal officers, and I confidently rely that you will use you endeavours to procure to be recommended such persons for company officers as will best answer the wishes of the Government.

With great respect & Esteem

I am Sir your Obdt. Servt.

(Signed) Wm. C. C. Claiborne

M. Fortier

Major Battn. F. P. C.

To James Madison.

New Orleans 22 June 1804

Sir,

The twenty passports you Lately forwarded, are nearly distributed; the commerce of this city is great and encreasing, and I find that the Louisianians are very fond of visiting Europe; I regret therefore that an additional number of blank passports may be furnished me, or otherwise I shall not be enabled to present the Louisi-

anians going abroad with a Document which they all solicit and seem highly to appreciate.

Every thing continues tranquil in this city; the opposition to the Law of Congress prescribing a government for Louisiana is apparently confined to a small portion of the Society: I believe the great body of the people have only one objection to the Law, and that relates to the prohibition of the African trade. A party consisting of a few respectable old Inhabitants and some aspiring Gentlemen Lately from the United States are I believe very solicitous for a State Government: at present it is certain that the mass of the citizens have not fallen into their views; but how far the exertions of a few may in time create a general Sentiment in favor of a complete representative System I cannot tell.

With respect & Esteem I am Sir

Your most Obedt. Servt.

(Signed) Wm. C. C. Claiborne

The Honble.

James Madison

Secretary of State

To Henry Dearborn

New Orleans 22 June 1804

Sir,

In a former letter, I advised you that the Battalion of free people of colour, had been placed under the command of M. Fortier a native of Louisiana and one of the most respectable Merchants of this city, and that Major Lewis Kerr, a gentleman possessing a great share of my esteem was appointed Second in command:— I had also in contemplation to commission two respectable White citizens as adjutants to the same corps; but finding from

the memorial enclosed that this arrangement would not be pleasing it has been declined.

On yesterday I presented to the Battalion a *stand* of Colours; it was made of white silk, Ornamented with fifteen Stripes (alternately red and white.) The standard was thankfully received & apparently excited a great share of Sensibility and gratitude.

I was unwilling to take upon myself the responsibility of reorganizing this Battalion, and was therefore relieved by the instructions which were given. The policy however pursued, I do verily believe to be the most advisable;— The Spaniards were the first to train these free men of Colour, to the use of arms, and they were often Called into service by the Spanish Governor:— Mr. Laus-sat recognized the corps, and they appeared on parade on the 20th of December & witnessed the surrender of Louisiana to the United States. After being thus noticed by the former Governments, had the corps been discarded by the United States, I am persuaded serious discontents would have arisen and which might (possebly) have laid the foundation of much future mischief.

There is a great dislike between the white Natives of Louisiana, and the free men of colour, the cause of which, I do not know that I could assign with accuracy, but the fact is unquestionable, and from this and other considerations, the Battalion I speak of, should engage much of the attention of the Governor, and be managed with delicacy and caution, I believe that some of the Old Inhabitants of Louisiana would much rather have seen this corps disbanded & neglected but the more reflecting part of Society seem impressed with opinion that Under existing circumstances the policy observed is most wise.

On yesterday (for the first time) a complaint against the Military was Lodged with me by a citizen; it seems that the walk of a *centinel on his post*, was interrupted by a citizen of respectability, and the centinel imprudent-

ly struck him with his musket. The centinel was immediately relieved, sent to the guard room, and will be tried by a court Martial on this day.

I cannot too highly approve the General conduct of the army: the officers act with propriety, and the troops are under excellent discipline, Colonel Freeman Commands with prudence & Dignity, and I am persuaded his conduct will be perfectly satisfactory. I understand there are several vacancies in the army, and that there are several young gentlemen, natives of Louisiana who would accept of commissions:— Permit me the Liberty to suggest the propriety of gratifying these young gentlemen, it would be highly flattering to their connections & might as a matter of policy have a good effect.

With respect & Esteem I am Sir

Your Obedt. Servt.

(Signed) Wm. C. C. Claiborne

P. S. I have also enclosed you a copy of a Letter which I have addressed to Major Fortier relating to his Battalion.

The Honble.

Henry Dearborn

Secrty. of War

To Peter Pedisclaux Esquire Notary Public

It having been stated to me by his Excellency the Marquis of Cassa Calvo, that certain negroes now in possession of Francis Hulin a citizen of New Orleans is claimed by the said Hulin, by virtue of a fraudulent purchase, and that the said Negroes are in fact the property of P. Villamel a subject of his catholic Majesty I Desire that you would make known to the said Francis Hulin and the different Notaries in this city the aforesaid Statement of his Excellency the Marquis and that it be enjoined upon

the Notaries to make known the same to all persons, who may apply for the drawing or registering bills of Sale for the Slaves aforesaid with a view, that no person may purchase these Slaves or any of them without a knowledge of the exceptions which may be taken to the titles.

(Signed) Wm. C. C. Claiborne

New Orleans 16th June 1804

To Thomas Jefferson.

New Orleans 26th June 1804

Dear Sir,

I have this moment understood that Messrs Girod & Chul Merchants of this city, have addressed a letter to you, complaining that "I had (to their Injury & Exclusion) recognized in the Barron of Bastrop an exclusive right to trade with citizens at Ouachitas, and also with the indians who might visit that Post, which Privilege had been heretofore Granted to the Barron by the King of Spain" The fact is Sir that I positively refused to acknowledge the Barrons Claim, and in consequence of which, his memorial upon the subject, was at his request forwarded by me on the 7th instant to the Secretary of State for his decision thereon.

Girod and Chul having heard (as they state) that I had recognized the Barrons pretensions wrote me a Long letter (and not a respectful one) on the occasion, and as I had neither time nor Inclination to correspond with Private individuals relative to my official Duties, no answer was returned, whereupon their appeal was made to you;— Girod & Chul ought to have made personal application to me for the redress of their supposed grievance; they had no cause to resort to a correspondence,

for no person in Louisiana, however obscure or humble he may be, but has free access to me, During my official hours, which are on every day (Sunday excepted) from 8 untill 2, and from four untill sun setting.

The Spanish Governor's heretofore exercised the power of granting Licences for the Indian trade to whom they pleased, and without a Licence no one was permitted to share in the trade, I thought myself vested with, and I esteemed it a duty to exercise Like authority, and have consequently granted my licences Gratis (which was not formerly the case) to several respectable Citizens. Were all persons permitted indiscriminately to trade with the Indians, much Injustice would be done them, and the peace on the frontiers rendered very insecure.

I have taken the Liberty to trouble you with this explanation, in order that the representation of Girod & Chul should it have reached you, may make no unfavorable impression.

I am inclined to think that the people of West Florida, particularly those residing on the waters of the Mississippi will continue dissatisfied until they fall under the American Government: at present there exist among them much disquietude and a spirit of disaffection to the Spanish Authorities; but on this point my official Letters to the Secretary of State will inform you more particularly.¹

With Sentiments the most respectful I have the Honor to Subscribe myself

Your faithful friend
(Signed) Wm. C. C. Claiborne

Thomas Jefferson
President of the United States

¹ These people were from the original states and were of English ancestry.

To Amos Stoddart.

New Orleans 26th June 1804

Sir,

In all judicial cases, where you entertain any doubt or feel any difficulty in deciding, you will avoid acting, & refer the parties to the courts that will be established in Upper Louisiana in the month of October next:— Reference to me would be improper for the probability is that, before a decision could be made, my judicial authority will have ceased.

Your proclamation and orders relative to the banditti of Creek Indians who have committed recent depredations, meet my approbation:— With respect to the Indians Generally I doubt not but you have endeavoured to cultivate their friendship and conciliate their affections; the best way of affecting which is to act towards them with impartial justice; to protect all peaceable Indians from violence & wrong, and to exercise towards them every act of Kindness which your means will permit.

The amount of expences which you have necessarily incurred either in your military or civil character I wish you to state to the Secretary of War;— the contingent fund allowed me for the taking possession of Louisiana is nearly expended, and therefore I am desirous that you should apply direct to the Secretary of War, for the adjustment of your accounts. There is no doubt but the expences incident to your public officers, such as Stationery Interpreter, and office rent, will be paid, and I should think the Government would act justly, were they to make you some allowance for your increased personal expenses.

It gives me great pleasure to learn the good order and quietude which prevail in Upper Louisiana, it argues much in favour of your judgment and prudence, and I trust the present happy prospect will long continue. The con-

duct of the several Commandants Acting under your authority should be strictly watched, and carefully investigated. The abuse of office under the Late Government was considerable, and the commandants of distant posts were frequently Guilty of oppression and injustice: I have found it good policy to recommission several of the former Commandants & I learn that you have pursued like policy; but we should both take care, that these men should execute their powers with justice & in mercy.

I enclosed you some time since a copy of my circular Letter to the different commandants, but Least that packet was miscarried, I forward another herewith,

Accept assurances of my great respect and
Sincere esteem!

(Signed) William C. C. Claiborne

Captain Amos Stoddart
Commandant of Upper Louisiana

To Lieut. Bowmar.

New Orleans 27 June 1804

Sir,

I have duly received yours of the 7th instant, concerning the *order of Seizure* which Lately issued out of the superior court of this province against the estate of the Barron D Bastrop, and directed to you for execution.

It is one of the serious inconveniences of the present state of things in this country that we are under the necessity of being governed as nearly as possible, by a system, in most points incongenial with the principles of our own Government by Laws to which we are almost utter strangers, and forms of practise as intricate as they are new to us; add to this that the executives of the collony have often exercised a dispensing power over

those Laws, and the people consequently have been habituated to the uncertain operation of rules occasionally modified by the wisdom or caprice of those in power. This has hitherto rendered it impossible for me to furnish you with such full instructions as I wished concerning the exercise of those Ministerial functions under the provincial Judiciary, which devolve on you, in virtue of your present appointment; but an unremitted series of enquiries on the Subject at Length enables me to give you some advice on the Leading points of your duty in this respect.

The Barron De Bastrop's Case, I believe involves most of the difficult questions likely to arise, and therefore may serve as a precedent for future occasions.

Though the writ addressed to you directs the seizure generally of the Baron De Bastrops estates, yet it may be safest for you to levy under the direction of the plaintiff or his agent. I have not been able to learn that there is any particular form of proceeding appropriated by the Spanish Law to suitors whose claims are secured by mortgage: they commence their process and take judgement as other suitors;— And they avail themselves of their mortgages by causing the Levy to be made on the Mortgaged property — I am therefore of opinion that, in the present case the plaintiff may if he chuses cause the Levy to be made on the Mortgaged Lands, though the Baron may have other property equally within reach of the writ; for it appears to me that neither the court; nor, of course any person acting under its authority can deprive the plaintiff of a specific security which has been guaranteed to him by a solemn act of the defendant. Though I believe there is but Little doubt, should the mortgaged property be insufficient to satisfy the debt which it was intended to secure, that the plaintiff may go on to seize other property without any new judgement or other process than the first.

Permit me therefore again to recommend it to you as your safest plan to Levy under the direction of the plaintiff or his agent duly authorized; but if *in the course of this or any other cause*, you should be called on to execute a write *in a manner* which you conceive to be palpably unjust or oppressive, I have no objections to your requiring from the plaintiff a bond of indemnity with sufficient sureties, *to secure you against risk*, and provide for the *ample retribution of those who may be injured*.

It is I presume scarcely necessary to apprise you that any conveyance of mortgaged property by the mortgager, subsequent to the date of the mortgage, gives no title to the purchaser; but that it is as completely liable to the execution of the mortgage as if no such subsequent conveyance had taken place.

Your seizure is to be made by giving written notice of the judgment, process &c to the defendant, or his agent, or the person or persons in possession of the property & Demanding immediate payment of the debt; — Should this demand be not complied with at the moment, you proceed to make actual seizure, noting the particulars in writing and furnishing the opposite party or persons in possession with a copy of such proceedings:— When there is no person on whom the notice can be served, as when the defendant, or no agent is to be found, and the estate required to be seized consists of vacant Lands or abandoned property of any kind, your notices are to be given at the drum head in the nearest settlement posting up the same at the place &c. After the seizure you proceed no further for three days. If within that time the debt be paid, the execution is discharged, Defendants and others interested have also the same time to enter an opposition or protest against the seizure, which you are to receive if in writing:— but no

protest are to interrupt your proceedings as they are cognizable only in the Superior Court.

After the expiration of the three days, you will cause the parties or persons appearing for them to agree in the choice of two or more appraisers, who shall value the property and make report thereof to you. Should the parties not appear or refuse to agree, I presume you have the power of appointing such appraisers as you may think proper. The appraisement being made, your functions under the first writ terminate.

The writ is then to be returned to the clerk of the Superior Court with a detailed report annexed, of all your proceedings thereon, and all protests, and other papers filed with you in the cause.

You are at the same time to transmit to transmit to the *depositaire Generale* (the Sheriff) in this city, a List of the property seized, with as full a description of the same, as may be conveniently made, and the appraised value thereof. When the property seized consists of money, deeds, bonds, notes, or other securities for money, Gold or Silver in plate or otherwise jewellery, or other moveable property of high value, the property itself is to be forwarded with the List to the deposit; in all such cases it will of course be unnecessary to have the property appraised in your hands: As to the manner in which slaves are to be disposed of under similar circumstances I have not as yet ascertained with sufficient certainty but this difficulty I believe is not Likely to occur in the present case. Thus closes the first Stage of the execution, the matter is then again Submitted to the Superior Court, with all the questions which may have been suggested against the regularity or justice of the seizure, and a final sentence is then awarded directing the sale or other disposal of the property seized in such manner as justice may seem to acquire. After the execution of the first writ your only care will be to preserve

from Injury or violation the property you shall have seized, and wait for further orders which shall be forwarded to you with such advice and instructions as may from time to time be necessary.

I am Sir with respect

Your Obdt, Sevt.

(Signed) William C. C. Claiborne

P. S. I give you the above forms of execution as applicable only to the process of the Superior Court; in your own court for the recovery of small sums your proceedings may be as summery, as justice requires & and the habits of the people admit of.

Lieutenant Bowmar
Commandant of Ouchiatas

To James Madison.

New Orleans 27th June 1804

Sir,

On yesterday the Marquis of Cassa Calvo (accompanied by his Secretary Don Andre) made me a visit;- we were in private for some time and conversed freely upon various subjects.

The *Marquis* has received information from Colonel Grandpre Commandant at Baton Rouge, of a recent riot in the vicinity of that Post, which had occasioned him some inquietude: Colonel Grandpre stated that the people of West Florida had manifested a seditious spirit, ever since the transfer of Louisiana to the United States, and the Marquis was solicitous that I should co-operate with him in the preservation of Good order, I observed that "the Limits of the ceded territory were not yet ascertained; but that the United States had supposed their claim extended to the river Perido; should

however his Catholic Majesty not acknowledge our claim to that extent, *it* would probably become a question of discussion between our two Governments, and with me there was no doubt, but the decision would promptly be made by the friendly mode of negotiation.

I informed the Marquis that "three or four citizens of West Florida had (I believed) at different times, made enquiries of me concerning the Limits of Louisiana; but that I had replied, they were not fully ascertained" I added that "the seditious Spirit Spoken of was to me a matter of regret" and was sure it had not been encouraged by any officer of the United States" I further named to the Marquis that there was nothing my government had more at heart; than to maintain peace & harmony with all the world and particularly to preserve unimpaired our friendly Understanding with the King of Spain"

The Marquis seemed pleased with my remarks, and replied, that "it was mutually the interest of our two Nations to remain at peace; and which he considered the safest Guarantee, that the Limits of the ceded territory westwardly he knew were Unsettled; but the claim of the United States eastward did not extend beyond the Isle of New Orleans— that this point M. Laussat and himself had fully discussed, and agreed in opinion, he however had noticed the pretensions of the United States to West Florida, and supposed the question would soon be settled by our two courts; he added that he had frequently written for special *instructions* relatively (as I understood him) to West Florida, and had received *none*; hence he concluded a Negotiation was pending; The Marquis expressed a hope that the restless & seditious spirit in West Florida would soon subside." and our conversation then turned on Less important objects.¹

¹ The beginning of the Revolution of West Florida.

The Spaniards still occupy the greatest part of the public store houses in this City, where they have deposited a quantity of powder, balls, and a Large supply of arms; these stores are destined for Pensacola, but the accumulation is so prodigious that it will take some time to clear the buildings.

In the Artillery park also there is a fine train of Artillery, and some of the most beautiful pieces I ever saw — a small portion of this belongs to the French, and which I understand might be purchased on good terms.

Accept assurances of my Respect & Esteem

(Signed) William C. C. Claiborne

The Honble.

James Madison

Secretary of State

From Gov. Folch to Gov. Claiborne.

14 June 1804

Sir,

The three months I Lately past in your Capital occasioned so wide a chasm in the correspondence of this government, that notwithstanding an incessant exercise of my pen, I have not as yet been, able to repair it; the news however of the safe arrival of your amiable Lady at New Orleans, induces me to suspend for a moment, the tedious yet necessary task, to congratulate your Excellency on that desirable event, with an earnest request that you will please to render the offer of my respects acceptable to her Ladyship, in the persuasion that with the highest esteem and consideration for both I am Sir

Your Excellencys most Obdt and Humble Servt.

(Signed) V. Folch

P. S. The duty incumbent on your Excellency and me to fulfill the objects of our respective employments ought

not in my opinion, to affect that harmony & friendship which form the basis of human society therefore I flatter myself that my Late official communications will cause no alteration in the valuable Sentiments I experienced from your Excellency in Orleans.

His Excellency Governor Claiborne

To Gov. Folch.

New Orleans 28 June 1804

Sir,

I had the pleasure to receive your Excellencys favour of the 14th Instant and feel sensible of the honor you have done me by that obliging communication. Mrs. Claiborne also, in much flattered by your polite attention, and Joins me in best wishes for the health and happiness of yourself and your Amiable family.

The liberal distinction, which you make, between the duties of a political Station, and the ties of private friendship, I most heartily accede to, As the representatives or Agents of different Governments, our official correspondence must of course be dictated by the views & interest of our respective countries, but as individuals I can never hold any Language towards your Excellency but that of sincere esteem & great respect.

(Signed) William C. C. Claiborne

Governor Folch

Pensacola

To James Madison.

New Orleans 28th June 1804

Sir,

Since the heat of summer commenced, my attention to business has been incessant, but I discover that neither myself nor the gentlemen in my employ can Long-

er preserve our health, if the office hours *are not curtailed*;— And to enable me *to do so* I find myself compelled to engage one and perhaps two additional Clerks.

Mr. Briggs my Private Secretary, is now sick of a fever, and Doctor Watkins is very unwell, I am therefore at present without an assistant in the office.

I am now engaged in *compleating* a *Temporary Organization* of the Militia of this City;— The volunteer companies heretofore formed compose an excellent Battalion, and I have recently attached to this Corps a very handsome Troop of horse; but the great body of the City Militia yet remain to be organized.

I am Sir with Respect & Esteem
Your Obedt. Servt.

The Honble.

James Madison

Secretary of State

(Signed) William C. C. Claiborne

To the Superior of the Ursuline Convent

Madam!

I have solicited of the Revd. Mr. Walsh the favor to place into your own hands, an Ellegant print, Designed to pourtray the virtues of the redeemer of Mankind, and of which I pray your acceptance, as a Memento of my great respect for the venerable Order, over whom you preside with such exemplary conduct and dignity.

Receive Madam assurances of my affectionate regard and high consideration

(Signed) William C. C. Claiborne

New Orleans 28 June 1804

To Patrick Walsh.

New Orleans 28 June 1804

Sir,

The bearer is charged to deliver to you, an elegant engraving of "the transfiguration" intended to remind us of an interesting event in the History of Christianity; and of which I request your acceptance as a small but Sincere token of my personal esteem, and a tribute of my great respect for your Ministerial Character

I have the honor to be with Sentiments the most respectful

(Signed) Wm. C. C. Claiborne

The Revd. Mr. Walsh

To James Pitot.

New Orleans 1 July 1804

To the Mayor and Municipality,—
Gentlemen

Your Letter of the 8th instant has been received and read with respectful attention.

The Late conduct of some of the free people of Colour is highly reprehensible and of a nature to create anxiety: the necessary measures therefore of precaution have been directed, and I shall take such further steps, as existing circumstances, and *the information I am in possession of*, shall render wise and prudent.

Charged as I am with the preservation of the *peace & safety* of Louisiana, I owe it to myself and to my country to use all the means in my power to insure these great objects:— be assured then gentlemen there is no fatigue of mind or body I would not cheerfully encounter for the happiness of the Louisianians, and no danger

that I would not with pleasure meet in support of the public Security. Let our fellow citizens then repose with confidence on the vigilance of the constituted authorities:— I am well convinced of the devotion of the Municipal corps to the public welfare, and you will always receive my prompt co-operation.

With Respect and Esteem I am Gentlemen

Your Most Obdt. Servt.

(Signed) William C. C. Claiborne

James Pitot Esqre.

Mayor

To James Madison.

Sir,

New Orleans 1 July 1804

In the forenoon of this day a number of the citizens of this place and some of the farmers in its vicinity assembled for the purpose of considering a memorial to congress previously drawn up by a committee. The memorial is attributed to Mr. Edward Livingston, and is said to be a good piece of composition;¹ the object of it (I Learn) is to obtain the immediate acknowledgment of Louisiana as a state and this is not asked as a favor, but claimed as a right secured to the inhabitants by a Treaty.

The Language of the Memorial I am told is respectful but the general tenor of it commanding and inflammatory. The abolition of the Slave trade is a particular subject of complaint and the division of Louisiana is represented as a grievance.

The memorial was well received and was immediately after the reading (without discussion) Signed by about One hundred and forty persons.

Privious to the meeting of the citizens, I had re-

¹ This was the beginning of political opposition to Claiborne.

quested Mr. Pitot the Mayor of New Orleans (who I understood was present.) to take Special care that the public peace should not be interrupted, Mr. Pitot assured me that no disorders should be committed, and I learn the meeting was opened by a speech from the Mayor, in which the American government was handsomely Spoken of and the citizens invited to the observance of the most perfect good order during their deliberations.

I am promised a copy of the Memorial and will hasten to transmit it to you.

Another meeting will take place on Sunday next, for the purpose of electing two persons to bear the memorial to congress, and to advocate the same. I am informed that Mr. Livingston, Daniel Clark and Mr. Evan Jones have been Active agents in this political movement:¹— No other Americans (or rather former citizens of the United States) have taken any part in this business.

I am Sir With respect & Esteem

Your Obdt. Servt.

The Honble.

(Signed) William C. C. Claiborne

James Madison

Secretary of State

*Mr. Clark I believe never was a citizen of the United States.

To James Madison.

New Orleans 3 July 1804

Sir

The free people of Colour have manifested some dissatisfaction at not receiving an invitation to the meeting of citizens who adopted the memorial to congress. A

¹The ability of Edward Livingston to express his thoughts impressed Claiborne who never liked him. The state papers of Livingston rank very high in the political literature of the United States.

piece addressed to the free men of Colour and signed by an influential character among them inviting a meeting in order that they might consult together as to *their* rights, and the propriety on their part of drafting a memorial to Congress, was handed to a printer for publication, who very prudently declined it, and for which I have sincerely thanked him.¹

It is believed that the Free people of Colour are well attached to the present Government and that it will only be necessary to have recourse to advice, to induce them to decline a *general assemblage* or publicly manifesting any disquietude;— but if other means should be necessary, I shall *use them*.

I do assure you Sir, that the governing of Louisiana, and particularly of this city, will, for some years require great address, and much care and prudence to prevent tumult and confusion. The population is composed of so heterogenous a mass; such prejudices exist, and so many different interest to reconcile, that I fear no administration or form of Government can give General satisfaction. I sincerely regret that public meetings were called, because I am still persuaded there are some influential persons in Louisiana not permanently interested in its welfare, whose councils will be mischievous: but I could not dissuade certain popular characters from their purposes, and I did not think that the occasion justified the exercise of my official powers.

The present aspect of affairs here, are not pleasing to me: a spirit of dissatisfaction certainly exists, and there are not wanting persons who Labor to increase it; but you may be assured of my vigilance and prudence, and in the mean time you may rest satisfied that *no serious disorders will take place*.

¹ The positions of free negroes in Louisiana was somewhat different from other Southern States; they seem to have been accorded a better rank in the community.

The 4th of July will be celebrated in this city with great Pomp. I think It may have a good Political tendency, and I shall therefore spare *neither trouble nor expence*.

I am Sir very respectfully
Your Obedient Sevt.
(Signed) William C. C. Claiborne

The Honble.
James Madison
Secretary of State

To James Madison.

New Orleans 5 July 1804

Sir

The birth day of our country was passed here in great harmony and hilarity:— high mass was celebrated at the Cathedral Church at seven in the morning and a prayer offered for the continuance of the Happiness and prosperity of the United States.

Two appropriate orations the one in the American the other in the French Language were delivered in the Hotel de Ville to a very crowded Audience and the orators (Dictor Watkins and Mr. Derbigney) received great and general Plaudits; the regular army, and the Orleans Volunteers paraded, and performed various military evolutions very much to the gratification of a numerous assemblage of Citizens between 11 and 2 Oclock the Governor received congratulatory visits from the Magistrates of the City, the Marquis of Casa Calvo and his suite, the officers of the regular troops and of the Militia, the Reved. Clergy and a number of Private Citizens, Throughout the day every thing wore the appearance of patriotism and contentment,

The city Militia are not yet organized, but the officers

have been appointed, and with a view to conciliate the public sentiment I determined to present (through the officers) the city Militia with a Standard on this day. This intention having been previously been notified to Colonel Bellechase, he requested that the ceremony might take place in the church, in order that after the flag was presented it might receive a benediction as is customary among Catholics. To this arrangement I assented and the presentation in the church and Subsequent benediction has rendered the flag peculiarly dear to the Militia. I trust that in this proceeding there has been nothing improper: I thought it was prudent on my part to conform to the religious customs of the people, or in other words to present the *Standard in the church*, in order that Colonel Bellechasse into whose hands it was placed, might more conveniently obtain the *Blessing*.

- I have seen 8 or 10 of the influential characters among the free people of Colour, and they are dissuaded from a public meeting or publicly manifesting any disquietude. I believe this part of the community will remain tranquil. A partial meeting of the White citizens will probably take place on sunday next but I am persuaded no confusion will arise; I place much confidence in the good intentions and prudent conduct of Mr. Pitot the Mayor of the city whose influence is considerable, and who assures me, that the peace of the City shall not be disturbed, I believe that many of the Citizens are now convinced of the impropriety of popular meetings at this particular period, and I should not be surprised if the contemplated one should ultimately fail.

So soon as I receive a copy of the Memorial to Congress, I will forward it to you with my remarks thereon. The Louisianians are a zealous people and their Lively support of Measures, nay their enthusiasm may be easily excited; but I find that they readily Listen to good ad-

vice and are generally pacific and well disposed. My opinion is that had the African trade been continued for a few years, no murmurs against the Law of Congress would have been heard. It is certainly true (and I perceive it with great regret) that there is almost an Universal Sentiment in favour of this inhuman traffic, and the prohibition thereof is the great Source of discontent. On the subject of the Government the great body of the people have no opinion; and I do verily believe that of those who think and talk on political Subjects a majority are impressed with the inexpediency of forming Louisiana immediately into a State and that the privilege of electing the Second Legislative Council will equal their expectations; but upon this subject, I shall write you fully & particularly when I forward you a copy of the Memorial.

With Respect and Esteem I am Sir

The Honble.

Your Obdt. Sevt.

James Madison
Secretary of State

(Signed) William C. C. Claiborne

To Tench Coxe.

Office of Purveyor of Public Supplies
Philadelphia 19th of May 1804

Sir,

By desire of the Secretary of State, I have shipped for the use of your government, on board the schooner Goby Captain Jones, a box containing 36 copies of 6 volumes each of the Laws of the United States.

This shipment is part of the quantity of 75 setts to which the Order extends. The remainder will be furnished in the course of next month or sooner if the printer shall deliver them and a Vessel Shall offer,

Wishing this interesting little package safe to your hands

I have the Honor to be Sir
your respectful humble Sevt.
Tench Coxe P. P. S.

Wm. C. C. Claiborne Esqre.
Governor of Lower Louisiana

To James Madison.

New Orleans 7th July 1804

Sir,

The Late slight appearance of discontent among the people of Colour, of which in my Last Letter advised you, excited some alarm among the white citizens, and has determined them to have no more meetings, after the one contemplated on tomorrow, and at that I Suppose, but few will attend.

The Louisianians have as Little Mischief in their dispositions, and as much native goodness as any people, I ever lived among; but unfortunately they are extremely credulous, and their General Sentiment and conduct may easily be directed by a few intrigueing; Designing Men: I find also among the Louisianians a considerable jealousy of their American Brothers, viewing themselves as a distinct and acquired Branch of our Family, they seem to think they are not Secure in the affections and confidence of the government of this circumstance also, designing men Avail themselves to excite fear and suspicion, but I am persuaded that a Little experience under the American government will give rise to a very different impression among the body of the people, and that in a few years the Louisianians will be among the most gratefull of our citizens, and sincere

admirers of our Union and government.¹ I have written you on this day in order to assure you, that the most perfect good order prevails.

I am Sir Very Respetefully
Your Obdt. Sevt.
(Signed) William C. C. Claiborne

The Honble.
James Madison
Secretary of State

To Henry Dearborn.

New Orleans 7 July 1804

Sir,

Mr. Michael Walsh an Inhabitant of this City, a young man of education, and good moral conduct has expressed great desire to obtain a commission in the army of the United States.

Permit me to recommend Mr. Walsh to your patronage: I believe he will make a deserving officer. An appointment for him would be gratefully acknowledged both by himself and connections who are highly respectable; his Brother the Revd. Patrick Walsh of this city is at present head of the Catholic Church in Louisiana and has been recommended to the pope as a Suitable character for Bishop thereof. If young Mr. Walsh should receive a commission, it would be highly gratifying to him to be annexed to one of the companies stationed in this city. I pray you to excuse this Liberty, and believe me to be

With great respect & Esteem
Your Obdt. Sevt.

The Honble. (Signed) William C. C. Claiborne
Henry Dearborn
Secretary of War

¹ Claiborne's regard and affection for the French of Louisiana never failed.

To Col. Bellechasse.

New Orleans 7th July 1804

I have the honor to forward to you the commissions for the Milita Officers.

You are instructed to establish the *grade* of the officers according to their former rank. If any names have been omitted in the commissions, or improperly inserted, I would thank you to advise me thereof in order, that the error may be corrected, or the omission Supplied.

With respect & Esteem I am Sir

Your obdt. Servt.

(Signed) William C. C. Claiborne

Colonel Bellechasse

Commandant of the Militia

To James Pitot.

New Orleans 9th July 1804

To the Mayor and Municipality
Gentlemen,

I beg you to do me the justice to believe that nothing but the multiplicity of business which of Late has pressed upon me could so Long have delayed my reply to your Several Letters of the 9th 14th 18th and 21st Ultimo.

I highly approve of the persons recommended by you to complete the Board of health, and send you enclosed their commissions. Your prompt enquiry relative to Mr. Marigneys Canal & the obstructions occasioned thereby to the pass into the Bayou St. John is proof of

your vigilant attention to whatever concerns the public good. The subject is an important one, and I have thought proper to transfer the consideration thereof, to the constituted authorities that will be organized in Louisiana on the first of October next.

Your Arreté of the 20th June (in regard to Physicians) I consider as more immediately belonging to the police of the city. The Municipal Council will therefore take such measures, relative thereto as they in their wisdom may think proper.

I have the honor to be with sentiments of Esteem & respect

Your Obdt. Sevt.

(Signed) William C. C. Claiborne

James Pitot Esqre.
Mayor

New Orleans 12 July 1804

General Orders.—

The Colonel Commandant of the Militia Bellechasse is charged with compleating the organization of the Militia of New Orleans. All free mail persons therefore, (as shall be notified of the same by order of the Commandant) are required to attend at such time & place as shall be appointed for the purpose of being formed into companies &c

Such citizens as are by Law exempt from Militia Service will be duly informed thereof and their names erased from the List.

The Colonel Commandant will report to the commander in chief the names of all such citizens as shall neglect to appear in conformity to orders, and in all

cases where good excuses are not offered, such fine will be imposed as the Law directs.

By Order of the Commander in chief

(Signed) Joseph Faurie,

Aid de camp

To Capt. Nicoll.

New Orleans 12 July 1804

Sir,

I wish that you would inform the *captains* of all Vessels inward bound, that it is expected they will *come to*, about one mile below this City, and wait a visit from the committee of health:— *Their* strict compliance with this request will probably avoid difficulty, for if a vessel should approach the city without previous examination by the board of Health She will subject herself to being ordered below and there compelled to perform Quarantine

With Respect & Esteem!

(Signed) William C. C. Claiborne

Capt. Nicoll

Commandant at Plaquemine

To Charles De Lateur.

New Orleans 12th July 1804

Sir,

I have received your Letter of the 9th Instant relative to the affair between one Bister and Molier a free Mulatto. You are requested to cause the parties interested in this dispute to come before you and to endeavour to settle it in an Amicable way. Should this be im-

practicable however, and you find from good and sufficient testimony that the said Bister is guilty of the conduct alledged against him you are at Liberty to fine him in Any sum not exceeding one hundred dollars applicable to the use of your district.

I am Sir With Sentiments of Esteem

Your Obdt. Servt.

(Signed) William C. C. Claiborne

Mr. Charles De Lateur

Commandant below the river

To James Madison.

New Orleans 12 July 1804

Sir,

The Letter which was handed to a printer for publication inviting a meeting of the free people of Colour for the purpose Memorializing Congress occasioned an inquietude among the white inhabitants which is just now beginning to subside. The Municipality of New Orleans expressed a wish that I should punish the Mulatto man who handed the Letters to the printer with great Severity, and to banish the author of the Letter (when known) from the province. I thought a different Conduct the most wise and prudent. It seemed to me that in a Country where the negro population was so great the Less noise that was made about this occurrence the better: I Therefore determined to send for a few of the most influential free men of Colour and to express in pointed terms my disapprobation of the letter to the printer and of their contemplated meeting. I accordingly had an interview (in the presence of the Mayor of the city) with nine of the most discreet and influential men of Colour; — they seemed convinced of their error, declared their

intention to abandon the suggested project, gave the most unqualified assurances, of their friendly pacific disposition, and devoted attachment to the present Government and to good order. I did not make any exertions to discover the Author of the Letter: I thought it best he should not (for the present) be known, for the indignation of the white inhabitants was so roused, that the probability is, violent outrages on his person, would be offered. I remembered that the events which have spread blood and desolation in St. Domingo, originated in a dispute between the white and Mulatto inhabitants, and that the too rigid treatment of the former, induced the latter to seek the support & assistance of the Negroes.

I believe the policy I have observed is approved of by most reflecting men, and that the public mind is becoming tranquil. At present I am well assured, there is nothing to fear either from the Mulatto or Negro population:— but at some future period, this quarter of the Union must (I fear) experience in some degree, the Misfortunes of St. Domingo, and that period will be hastened if the people should be indulged by congress with a continuance of the African Trade.

African Negroes are thought here not to be dangerous; but it ought to be recollected that those of St. Domingo were originally from Africa and that Slavery Where ever it exist is a galling yoke. I find however that an almost universal sentiment exist in Louisiana in favour of the African traffic. I am myself Solicitous for the arival of the first of October:— Slaves are daily introduced from Africa, many direct from this unhappy Country and others by way of the west India Islands. All vessels with slaves on bord are stopped at Plaquemine, and are not permitted to pass without my consent. This is done to prevent the bringing in of Slaves that have been concerned in the insurrections of St. Domingo;

but while any importations are admitted, many bad characters will be introduced. The citizens of Louisiana are greatly apprehensive of the West India Negroes but no effectual Stop can at present be put to their introduction

With respect and esteem I am Sir

Your Obdt. Servt.

(Signed) William C. C. Claiborne

The Honble.

James Madison

Secretary of State

To Henry Dearborn.

New Orleans 12 July 1804

Sir,

I have this day drawn upon you in favour of Joseph Briggs or order for eight hundred dollars payable at six days sight.

I have drawn upon you for this sum, on Account of my extra compensation as governor pro tem: of Louisiana: When first I received this temporary appointment, I was authorized to draw upon the Secretary of War at a rate not exceeding 400 Dollars per Month I have lately been advised by the Secretary of State that my compensation was not to exceed 5000 dollars per annum including my salary as governor of the Mississippi Territory, but no mention was made of what officer I was to draw on; of course it seemed to me correct to be directed by the first Letter upon the subject.

I am Sir Very Respectfully

The Honble.

Your Obdt. Servt.

Henry Dearborn

(Signed) William C. C. Claiborne

Secretary of War

To the Marquis of Casa Calvo.

New Orleans 13 July 1804

To his Excellency

The Marquis of Casa Calvo

Sir

I have received your Letter of this day, in which you request me to name some person to receive the effects of a certain Freeman Johnson which had been placed in deposit by order of the former Government of Louisiana.

Understanding that Mr. James Profit had some acquaintance with the said Johnson, and his relations, I have Solicited him to take the effects alluded to in his care, and therefore request that your Excellency would direct the same to be delivered to that Gentleman.

Accept assurances of my esteem & consideration

(Signed) William C. C. Claiborne

To Tench Coxe.

New Orleans 13 July 1804

Sir,

Your Letter of the 19th May has been duly received: — the Consignment of the 36 copies of the Laws of the United States has also arrived in good order. This “interesting package will no doubt have a tendency to Unite our citizens in support of a Government of Laws in preference to that of individuals will

Accept assurances of My great respect and Sincere esteem

(Signed) William C. C. Claiborne

Tench Coxe Esqre.

Purveyor of Public Supplies

Philadelphia

To James Madison.

New Orleans 14 July 1804

Sir,

I enclose you the Last number of the "Moniteur" printed in this city. It contains an account of the proceedings of a number of citizens who had assembled for the purpose of praying Congress for redress of their grievances; and also a singular publication from the Marquis of Casa Calvo together with an address signed (as is said) by many of the ancient and respectable subjects of Louisiana, expressive of their gratitude for the benevolent acts of his Catholic Majesty, and of contempt for such obscure and ungrateful characters, as are not penetrated with like sentiments. Thus we find Sir that some of these Same people, who are signing Memorials supplicating Congress for all the blessings of a free Representative Government, are conveying to the representative of a King a testimony of their gratitude and respect for their Late despotic Government.

I must confess I have viewed with an eye of jealousy and inquietude the Long residence of the Spanish officers among us; the Marquis assumes in all his communications with me the title of commissioner of his Catholic Majesty, and Morales that of Intendant:— When these agents of Spain will retire from Louisiana I Know not but from the publications in the enclosed paper you will discover an ardent Disposition exists to excite and perpetuate in the district a grateful recollection of the former favours of his Catholic Majesty. I do not know what inference the Marquis wishes to be drawn from the Language used towards the close of his communication "et pour qu'à L'avenis il puisses en resulter, les effects convenables" and I am not certain but I shall solicit an explanation.

The "famous libel" published in the *Telegraphe* (en-

closed) Which has so greatly excited the sensibility of the Marquis is an attack not against the King of Spain, but against the former Local Government of Louisiana which is represented as having been despotic & unjust, I wish for Myself, all the foreign agents were withdrawn from Louisiana, I believe this district is at this time the theatre of intrigue as well for the satellites of France as Spain, and that the political discontents which exist are fostered and encouraged by the partizans of these two powers.¹

I am Sir With respect & Esteem

Your obdt. Servt.

(Signed) William C. C. Claiborne

P S The first meeting of the Memorialist was on the 1st of July, and the address to the Marquis is of the same date,— it is therefore probable the occasion of that assemblage was embraced to procure signatures to this adulatory address.

The Honble.

Wm. C. C. Claiborne

James Madison

Secretary of State

To James Madison.

New Orleans 16 July 1804

Sir,

Scarcely a week passes by, but something occurs to create anxiety, and to occasion me trouble.

On yesterday in commemoration of the destruction of the Bastille a number of Frenchmen assembled in this city to pass the day in joy and Festivity; they hoisted the french flagg and sung their favourite national Songs.

¹ This was the cause of most of Claiborne's troubles in the beginning of his administration.

The waving of the flagg excited the jealousy of *the Americans* and it required some address to prevent their taking it down by violence: they were told, that indulgences of a similar Kind were allowed to foreigners in the United States and that the *Americans* when abroad very frequently on the 4th of July unfurled the Standard of their Country and drank to her *prosperity*. My interference had the desired effect, and the day passed away without disturbance. Many years will elapse before the strong partiality of the Louisianians for their Mother Country will be effaced.¹ This partiality is not confined to the emigrants from France it seems to be infused more or Less into all the descendants of Frenchmen.

With respect & Esteem

Your Obdt. Servt.

Signed William C. C. Claiborne

The Honble.

James Madison

Secretary of State

To Col. Freeman

New Orleans 16 July 1804

Sir,

Existing circumstances, and the great Desire I have to take such measures as may conduce to the peace and prosperity of Louisiana, make it necessary that I should solicit you (if the state of the service will possibly permit) to detach a subaltern officer & 16 or 20 Men for duty at the mouth of the Mississippi to be stationed at the place called the Balisex.

I will in a day or two name to you by Letter the par-

¹ Love of country, custom and language is characteristic of the French of Louisiana of to-day.

ticular duties which I wish this officer to perform, in order that you may issue the Necessary orders.

The probability is there will be no necessity for the detachment remaining at the Balize longer than the Month of October next.

With Respect & Esteem I am Sir

Your Obdt. Servt.

(Signed) William C. C. Claiborne

Lieut. Colo. Freeman
Commg. U. S. Troops
New Orleans

An Ordinance

Regulating criminal prosecutions

By William C. C. Claiborne, Governor of the Mississippi Territory, exercising the powers of Governor General & Intendant of the province of Louisiana.

- 1st. Be it ordained, that, from and after the passing of this Ordinance, no free person shall be imprisoned in the jail of this city, for any offence but upon good cause shewn to some one or more of the justices of the court of pleas of said city, who shall upon a careful enquiry into the offence charged & an examination of the evidence & circumstances of the case, issue his or their warrant or order, in writing, in which warrant or order the offence charged Shall be distinctly and Specifically Stated, directed to a constable or other proper officer commanding him to make such commitment or imprisonment. And it shall moreover be the duty of such officer when he makes such commitment to Leave with the jailor or keeper of the Public prison, a certified copy of the warrant or order aforesaid.

2nd. And be it further ordained, that in all cases where any person is charged with the commission of an offence before any magistrate having competent Authority to try the same, and to inflict an adequate punishment in case the person thus charged be convicted. It shall be the duty of such magistrates immediately to proceed to the trial of the same, and upon conviction of the person thus charged to Sentence him to the punishment which the Law allows or prescribes;—

And when ever imprisonment shall be the punishment or part of the punishment inflicted by such sentence, the term of such imprisonment Shall be specified; and the proper officer charged with carrying into effect such sentence shall receive from the Magistrate or Magistrates a specification of the same sentence under their hands & seals, and it shall be the duty of such officers to furnish the jailor or keeper of the public prison into whose custody the convict shall be delivered, with a certified copy of the same.

3d. And Be it further Ordained, that, when any person shall be Committed to prison for an offence beyaund the cognizance of the Magistrates, the Magistrate committing such persons shall forward to the attorney General a copy of the examinations by him taken on oath in the premises and the names and as nearly as may be ascertained, the usual residence of the witnesses necessary to the prosecution together with a copy of the commitment, to the end that, the attorney General be enabled to prosecute such offenders with as much promptitude as justice may require; to cause notice to be given to the prisoner of the place and time of his trial that he may have an opportunity of preparing for his defence, and procuring such evidence, as if innocent may be necessary to his exculpation. Provided nothing in this ordinance shall be

construed to deprive the nightly patrol established in the city of the powers which they at present possess, or in any way to change the present police of the city or the regulations in force relative to slaves.

Given Under my hand, and the seal of the administration at the city of New Orleans, the sixteenth day of July 1804 and in the 29th year of the Independence of the United States.

(Signed) William C. C. Claiborne

By the Governor.

Jos. Briggs

P. Secrty.

New Orleans 17th July 1804

To the Mayor and Municipality
Gentlemen

I have the honor to acknowledge the receipt of your favor of the 16th instant enclosing a communication relative to the dispute between Mr. Gravier¹ and the city of New Orleans,² Permit me Gentlemen on this Occasion to repeat to you the approbation which your Laudible exertions for the interests of Our City and the prosperity and happiness of its inhabitants have so often Merited.

I am with sentiments of high Esteem and consideration.

(Signed) William C. C. Claiborne

P. S. I am now busily engaged in preparing instructions relative to the introduction of Slaves &c.

W. C. C. Claiborne .

¹ John Gravier.

² The beginning of the Batture Affair between Edward Livingston and the City of New Orleans. See Fortier, Vol. 3, p. 53.

To Col. Freeman

New Orleans 17th July 1804

Sir,

In consequence of some late fraudulent practises against the Revenue below Plaquemine and near the mouth of the Mississippi, the collector of the district has been induced to station an Inspector at the Balize and as it is very probable, he may in the execution of his duty meet with opposition from disorderly & fraudulent men, I request that you would be so obliging as to give orders to the officer Commanding the Troops at the Balize to co-operate with the inspector in all measures for the prevention of fraud and the security of the revenue.

There is an other duty which I must request you to exact from the officer. Previous to the arrival of the *period* when by the Law of congress the importation of *Slaves* into Louisiana will be prohibited, there is no doubt, but exertions will be used to bring hither as great a number as possible of that description of persons without regard to their characters; perhaps many of the refuse negroes of the English Islands may be imported and even some of the *brigands* of St. Domingo. The precautions heretofore observed at Fort Plaquemine have not proved effectual; the vigilance of the meritorious officers at that post (and my own) has been evaded, and Speculators and others have found means (either by passing the Fort in the night, concealment in the hold of the Vessel, or answering falsely to Questions) to introduce into this Province Negroes whose characters and conduct have given serious alarm to the good inhabitants. While therefore the introduction of African Slaves will be permitted untill the Act of congress shall operate, I am particularly desirous to exclude those Slaves who (from Late habits) are accustomed to blood and devastation, and

whose counsel & communication with our present Black population may be pregnant with much future Mischief.)

May I request therefore that the officer at the Balize be instructed "to board the different vessels passing up the Mississippi; ascertain the number of Negroes on board from whence they came, the name of names of the owner or owners, or the person to whom consigned and that he report the same to the officer commanding at Plaquemine." It may happen that at all times it will not be in the power of the officer to board a vessel and in this case a report to him from the captain of such vessel will be Satisfactory" It is expected that an express boat for the conveyance of Letters will shortly pass between the Balize and this city, but untill this arrangement is made, it is presumed that communications between the officers at Plaquemine and the Balize may be forwarded with safety either by Vessels or Passengers passing up and down the river.

I shall advise the Pilots at the Balize of the instructions to the officer relative to vessels, and instruct them to conform thereto.

In consequence of the Stationing of the detachment at the Balize, I must ask the favour of you to give some additional instructions to the officer at Plaquemine and which I will name to you (very shortly) in a Letter.

I am sorry to make of you any request which will divide your command, and increase the duty which is already devolving upon the Military, but the great Solitude of the citizens upon the subject of Negroes & the necessity there is for a temporary post at the Balize must plead my apology.

I am Sir With Respect & Consideration

Yor Obdt. Servt.

(Signed) William C. C. Claiborne

Lt. Col. Freeman

Commg. U. S. Troops N. Orleans

To the Mayor of N-Orleans

Sir,

I pray you to lay before the Municipality the enclosed communication from Doctor Scott with the accompanying certificates from several respectable Gentlemen of the faculty by which it appears that the doctor has been so fortunate as to introduce into our city at this opportune period, the Genuine *Vaccine disease*. It is necessary for me to urge what humanity so strongly dictates – the propriety of a recommendation to the citizens from the Municipality to discontinue the *small pox* inoculation in order to introduce the safe, sure and mild substitute of *vaccination*.

I have the Honor to be, Very Respectfully

Your Obdt. Servt.

Signed Wm. C. C. Claiborne

New Orleans

18 July 1804

New Orleans 18 July 1804

To Captain Johnson 1st Pilot at the Balize

Sir,

The officer commanding the detachment of Troops at the Balize has been instructed to visit every vessel entering the mouth of the river and to ascertain the number of Negroes on board or to receive a report of the same on shore from the Captain or Commander of Such vessel. It is expected therefore, that you will co-operate with the officer in the execution of his duty, and that the commander of no Vessel will refuse a compliance with a regulation which the interest of this Province peremptorily demands.

The emportation of African Slaves will be permitted untill the 1st of October next, but I am particularly de-

sirous to prevent the introduction of any of the brigands of St. Domingo, or the refuse Negroes of the West India Islands;— The vigilance heretofore observed has been evaded, and speculators & others have found means to bring hither many dangerous Characters: hence the necessity of further precautions and I request that you would Communicate from time to time such information upon this subject, as you may suppose may assist the object in view.

I am informed that Negroes belonging to persons residing in this city and its vicinity often escape from the service of their Masters and by concealing themselves on board of Vessels (sometimes by the connivance of the Captain or Crew) pass out of the province. I wish you would endeavor to prevent for the future like practises, and in all instances where you can detect such runaway Slaves, arrest & secure the same at the Balize.

I can hardly presume that a person entrusted with the command of a vessel can so far deviate from the character of a Gentleman as to assist in facilitating the escape of a servant from the service of his Master; I therefore rely with confidence that Masters of Vessels will with Promptitude and pleasure Surrender to you such runaways.

It being necessary at this season of the year to guard with vigilance the health of New Orleans it is determined that no vessel shall be permitted to approach the city Un- till she has been visited by the Physician of the port, or the board of health, and declared free from Contagion; you will therefore inform the commanders of vessels of this regulation and instruct them to *come to* at or near the first point below the City and there receive the visit. A Strict compliance with this regulation will be enforced.

There is an ordinance of the Municipality which directs every stranger within twenty four hours after his

arrival at New Orleans to report himself at the office of the Mayor of the city. You will be pleased to make Known this ordinance to passengers on their entering the river in order that they may conform thereto.

I am Sir very respectfully

Your obdt. Servt.

(Signed) Wm. C. C. Claiborne

P. S. You will be pleased to communicate this letter to the Pilots generally, and take care that its contents are complied with. When a runaway is arrested a reasonable compensation will be made by the Owner to the Pilot.

W. C. C. Claiborne

To Col. Freeman

New Orleans 19th July 1804

Sir,

The duty required of the officer, who shall be stationed at the Balize renders it necessary that he should be supplied with a *barge* and I suppose there can be no impropriety in directing the Military agent to supply *one*. When the detachment is removed from the Balize which I suppose will certainly be in October next (perhaps sooner) the Barge will be useful at Plaquemine or if indeed it should be no Longer wanting I presume a sale thereof might immediately be made without Loss.

I do not know, that there are cannon at the Balize; but if there should be, they belong to the Spaniards & will shortly be removed:— I presume therefore (if the same can be spared) it would be advisable to forward to the Balize one small peice of Ordinance from this city.

With Respect & Esteem I am Sir

Your Obdt. Servt.

(Signed) William C. C. Claiborne

Lt. Colo. Freeman
Commg. U. S. Troops
New Orleans

An Ordinance

Defining more particularly the Powers of the Municipality

By William C. C. Claiborne Governor of the Mississippi Territory exercising the powers of Governor General and Intendant of the Province of Louisiana.

Be it Ordained that, the Municipality shall as heretofore have full authority & it shall be their duty, to regulate by Ordinance or other wise, the police of the city of New Orleans & the suburbs thereof.

To collect and appropriate the Lawful revenues of the same; to License & regulate Taverns & places of Public resort or amusement; to preserve, repair, and improve the edifices & public squares belonging to the *City* & also the Levees, Streets & highways *within its Limits* to make & ordain regulations for the preservation of the health of the City; to provide for the abatement of Nuisances the relief of the poor and the subsistence of Prisoners confined for public offences committed within the Limits of New Orleans.

Given under my hand the Seal of the administration at the city of New Orleans the 21st Day of July 1804 and in the 29th year of the independence of the United States.

L. S. (Signed) William C. C. Claiborne

By the Governor

Jos. Briggs

P. Secy.

To the Marquis of Casa Calvo

New Orleans 21st July 1804

Sir,

Your Excellencys Letter of May 23 was duly received together with sundry documents of accounts & suits adjusted & Determined by the contador, of the Armies, Mr. Juan V. Morales of A nature interesting to the repre-

sentatives and creditors of the Late Colo. Maxent, as also thirty seven Dollars and five bits being the sum remaining to be divided among the Creditors of the said Maxent.

In compliance with your Excellencys wish I have the honor to inform you, that the above documents will be deposited in the office of the Secretary of the Municipality, where recourse may be had to them by all parties concerned; & that the thirty seven dollars & five bits will be committed to the care of the city Treasurer.

Accept assurances of my respect & Esteem

Signed William C. C. Claiborne

His Excellency

The Marquis of Casa Calvo

To Henry Dearborn

New Orleans 23 July 1804

Sir,

Permit me to introduce to your acquaintance Captain Duncan Late of the Mississippi Territory, but now of this city.

Captain Duncan is the officer who furnished a company of the Mississippi Militia (that descended to this city in December Last) with *Uniform* and concerning *which* I wrote you fully in my official Letter of the 22nd of March Last.

I again give it as my opinion, that the cloathing furnished by Captain Duncan was essential to the comfort of the men, and I should feel happy if his expences could be reimbursed him by the government.

I am Sir with great respect & Esteem

Your Obdt. Servt.

(Signed) William C. C. Claiborne

The Honble.

Henry Dearborn

Secretary of War

To James Pitot

New Orleans 23 July 1804

To the Mayor & Municipality
Gentlemen

I have the honor to acknowledge the receipt of your communication relative to the highways, public squares, and other property belonging to the City of New Orleans, and to inform you that, the same has been communicated to the sheriff, with instructions not to sell or cause to be sold any of the property alluded to

I am with Sentiments of Esteem and Consideration

Your most Obedt. Servt.

(Signed) Wm. C. C. Claiborne

James Pitot Esqre.
Mayor

To James Pitot

New Orleans 25 July 1804

To the Mayor & Municipality
Gentlemen,

From the variety of objects which will Claim the attention of the Board of Health, the importance of their services at this critical season of the year, and the heavy duty which must attach to each member, I take the liberty to suggest for the consideration of the Municipality the propriety of adding four other members to that Board. If the Municipality should determine that this further provision is advisable, I will thank them to mention to me, the names of such Citizens as they would wish appointed.

I am Gentlemen very respectfully

Your Obedt. Servt.

(Signed) Wm. C. C. Claiborne

James Pitot Esqre.
Mayor

To Capt. Nicoll

New Orleans 25 July 1804

Sir,

To guard against frauds on the revenue, and to assist in our endeavours to prevent the introduction of dangerous Negroes into this Province, Lieut. Reynolds with 20 men has at my request, been ordered by Colo. Freeman to the Balize;— the Lieut. is from time to time to report to and through you he will receive his further orders.

Your vigilance and General conduct as an officer are highly pleasing to me, but it has been discovered that some of the Brigands from St. Domingo have heretofore been Landed below Plaquemine and introduced Clandestinely into this City, to prevent a repetition of such evasion, a post is to be maintained temporarily at the Balize.

It is expected (as heretofore) that every vessel with slaves on board will be halted at Plaquemine, examined and the slaves detained until my permission for their passing is acquired. The report of Leut. Renolds will enable you, to ascertain wheather any part of the crew has been Landed below Plaquemine; and in every instance, I wish you would state to me, wheather on the arrival of the Vessel at Plaquemine the number of the Negroes on board, their description, Character &c accord with the statement you received from Leut. Reynolds.

Of late many Negroes of this City have escaped from the service of their Masters and the general opinion seems to be, that they are secreted in vessels going to Sea; you will therefor render a service to the citizens here if you would direct one of your Serjeants to visit each vessel decending the river and to make enquiry of the captain thereof, wheather he has observed any Negroes not belonging to the crew on board, and in all cases, where a runaway is discovered, to arrest and secure him

in the fort; I have understood that runaways sometimes conceal themselves on board vessels without the Knowledge of any of the crew, and at other times, by the connivance of some of the sailors, and that after being discovered by the Captain having no opportunity to return them to their Masters, they are permitted to continue on their Passage.— the Serjeant detecting a runaway may be permitted to charge eight dollars, and one ration a day may be furnished such runaway (at 20 cents) all which will be reimbursed by the Owner.

There is a Late ordinance of the Municipality which directs that every stranger coming to New Orleans shall within 24 hours after his arrival report himself at the office of the Mayor of the city. I will thank you to give this information to such Gentlemen coming by Sea, to New Orleans, as may call at Plaquemine in order that they may conform thereto.

Accept assurances of my respect & Esteem

(Signed) William C. C. Claiborne

Captain Nicoll

Commanding at Plaquemines

To James Pitot

New Orleans 25 July 1804

To the Mayor and Municipality
Gentlemen,

Leut. Reynolds, with a serjeant, Corporal & twenty men are posted at the Balize and such orders have been given that officer as will tend to prevent in future the introduction of dangerous Negroes into this Province — additional instructions have also been given upon this subject, to the commandant at Plaquemines, & to the Pi-

lots at the mouth of the river. Every Vessel ascending the Mississippi will be visited by the officer at the Balize, and the number of negroes on board, their description and character, from whence they came, the name of their owner, or to whom Consigned, are to be ascertained, and reported. All Vessels also (as formerly) will be brought to and examined at Plaquemines and the Negroes detained untill my permission for their passing is obtained, and in no instance are slaves to be admitted into the city, untill they shall be previously visited by a committee of the Municipality.

Upon the subject of runaways the necessary orders have also issued and I hope the Practise of taking slaves from Louisiana by the way of the river will soon cease.

Accept assurances of my Esteem & Respect

(Signed) William C. C. Claiborne

James Pitot Esqre.

Mayor

To the Marquis of Casa Calvo

New Orleans 25 July 1804

Sir,

I have had the honor to receive your Excellencys letter accompanying a judgement given by the court of Puerto Principo in favour of Mr. William Despau in a cause between despau & Duplessis and have to observe to your Excellency that exceptions having been taken to the said judgement by Duplessis it becomes my Duty not to carry the same into execution untill it has been regularly examined before the tribunals of this country. Mr. Despau then must commence his prosecution anew and will do

well to produce the judgement of the Court of Puerto Principo as evidence in the case

I have the honor to be with Sentiments of the highest Consideration

Your Obdt. Servt.

(Signed) William C. C. Claiborne

His Excellency

The Marquis of Casa Calvo

To the Marquis of Casa Calvo

New Orleans 25 july 1804

Sir,

It is with concern, I feel myself impelled by a sense of my Public duties, to express to your Excellency my regret on the perusal of your Late *publication in the Monetiur*, No 422, and to suggest however honorably intended, that it may have a political tendency, the extent of which you may not perhaps be fully aware of.

The warmth of your Zeal for the honor of your King & Country, I cannot but applaud, nor can I avoid censuring any aspersions against the ally of the United States, His Catholic Majesty: permit me also to add, that I by no means object to endeavours on the part of your Excellency to Keep alive among the people here a just sense of the obligations they are under to the Spanish Government and its officers; but I must express a wish, that under the guise of gratitude to the late Administration of the province, that no Sentiment may be inculcated: that may tend to weaken the present and permanent allegiance of the Country.

Vague and groundless reports have long been in circulation, that, Louisiana, or rather a Large portion of it, will by some means or other shortly return under the do-

minion of Spain, and I have learned with uneasiness that your Excellency's Letter, and particularly the Last Sentence of it, has been understood by some as a confirmation of these reports. Speaking of the gratitude of the Louisianians to the King of Spain, you observe, that, "in the future it may have the convenient effects," and here you must excuse me, If I confess, that it is with difficulty I can put any other construction on this passage than of its holding out an Idea, that expressions of attachment to the Spanish Government at this time, may at some future period be useful to those who offer them; but wheather this Utility is expected to be of a political Cast or not, is unfortunately left to the conjecture of the reader.

Accept assurances of my Esteem & Consideration
(Signed) William C. C. Claiborne

His Excellency
The Marquis of Casa Calvo

To James Madison.

New Orleans 25 July 1804

Sir,

In my letter of the 14th Instant, enclosed you a copy of the Monetiur (No. 422) containing an address from a number of the citizens of Louisiana to the Marquis of Casa Calvo accompanied by certain remarks from the Marquis the enclosed No. 1 is a literal translation of the remarks of the Marquis, and *that* No. 2 is a copy of a Letter which I this day addressed to him.

An opinion prevails among the inhabitants West of the Mississippi, that they are shortly to return to the dominion of Spain, and the Marquis's Letter has tended to strengthen this opinion, I may add Sir, that reports to

the same effect are daily circulated by the inferior officers and agents of Spain, and they have so far acquired credit, as to Lessen in some degree the respect of the people for the authorities of the United States.

The Marquis continues to style himself commissioner of his Catholic Majesty; has stationed at his Lodgings a guard of Spanish Soldiers and seems to view himself entitled to all the respect due a high diplomatic character. In a former Letter, I requested your opinion how far, it would be proper in me to recognize the Marquis as a public agent, and I again solicit your advice upon this subject. The Marquis is an agreeable man, an hitherto there has existed between us, the most friendly understanding; but I must confess, that I wish his departure from the province. While he remains in Orleans, the ancient citizens of Louisiana, will look up to him as a kind of chief; his counsel will be resorted to & this will serve to Keep alive among the inhabitants that attachment for their former Masters, which I am sorry to observe is very sincere, and much more general, than I had heretofore supposed.

I am with respect & Esteem

Your Obt. Servt.

(Signed)

William C. C. Claiborne

The Honble.

James Madison

Secrty. of State

To James Madison.

New Orleans 25 July 1804

Sir,

On this afternoon, I received by express from Captain Turner a dispatch, of which the enclosures are copies. Nothing can be more certain, than that the possession of

the West Bank of the Mississippi by the United States is a source of discontent to the officers and Sattellites of the Spanish Monarchy now in Louisiana, and I Learn that the sensebilities of the public functionaries in the interior provinces of Mexico are also awakened on the occasion:- I further believe, that efforts have been made, and are now making, to disseminate discontent, and to excite among the Louisianians a spirit of disaffection to the American Government; but I cannot give credence to the deposition enclosed by Captain Turner, nor do I think there is good ground to fear any hostile movements from Nacogdoches against the Post of Natchitoches. I shall however instruct Captain Turner, to watch with care the movements of his Neighbors, and to Keep me regularly advised thereof; to train and discipline the Militia of his district; to Strengthen the works of the Fort, and in the event of an attack to make the best and most obstinate defence which his means will permit.

I shall request Colo. Freeman to forward to Captain Turner a supply of ammunition; but to reenforce the garrison of Natchitoches appears to me under existing circumstances highly inexpedient. In the first place, I do not believe, that any hostile measure will be attempted, and if such are really meditated it is not in my power to send such reenforcement as would give security to the post. If indeed, the reports at Natchitoches should prove correct, it is probable, the Spanish troops at Pensacola may also act offensivley against Louisiana, and in this event the force now in New Orleans is not more than sufficient for its security. And the maintaining possession

of this capitol; I conceive (in the event of a rupture with Spain) to be an object of the first importance.

I am Sir with Respect & Esteem

Your Obdt. Servt.

(Signed) William C. C. Claiborne

The Honble.

James Madison

Secy. of State

To Francis Connell

New Orleans 26 July 1804

Sir,

I am persuaded that upon due consideration you will think with me that John Baptiste Laurier has sufficiently suffered for the offences committed in the affair of the exchange of horses, by the Length of time he has remained in confinement. I wish you therefore to liberate him, charging him at the same time to comport himself with that decorum which good government requires. Should there be any difficulties remaining in the affair you will do well to have them decided by arbitration and transmit to me the result thereof.

I am with Respect

Your Most Obdt. Servt.

William C. C. Claiborne

Mr. Francis Connell

Commandant at Iberville

To James Madison.

New Orleans 26 July 1804

Sir,

I enclose you a paper containing a Memorial to congress, of which I have heretofore advised you. It is generally acknowledged, that Mr. Edward Livingston is

the author of this production, and indeed he himself avows it; Mr. Daniel Clark is to carry the Memorial to the Several districts and to solicit Signatures:— he sets out on his mission (I Learn) on tomorrow, and proposes going as far as Natchitoches.

There is no doubt, but Mr. Clark may obtain Many Signers; but I will nevertheless venture to predict, that were the Memorialists gratified in all their wishes, much greater discontent would prevail in Louisiana, than has hitherto been Manifested. If the construction of the treaty contended for, be correct, the admission of Louisiana as a member State of the Union, is no Longer a question of policy; but if the period of that admission rests (as I verily believe it does) on the discretion of the United States, I shall continue in the opinion, that Louisiana ought to remain (for some years) a Territorial district.

The Memorial has stated correctly, that the general Language of the Country is French, and that the Citizens experience inconvenience for want of a Knowledge of the English Language, particularly those who have business with the Tribunals of justice:— but great care has been taken to Lessen and remedy this inconvenience: — Nearly all the justices of the court of *pleas* Speak both Languages and there is a gentleman of talents and integrity always attending the Governors Court as an Interpreter: he is a salary officer, and acts under Oath. Many Subjects are introduced into the Memorial, in order to render it popular here, and to secure it a favourable reception in the United States; but some of the grievances alluded to, have in fact no existance. The writer seems to be solicitous to assimilate the political situation of Louisiana to that of the United States previous to the revolutionary war, and to adopt the Language of the patriots of 76:— Hence we find the evils of a Military Government, of dependent judges &c enumer-

ated. I cannot however in justice to my own character, omit remarking, that, since the 20th of December Last, the people of Louisiana are strangers to the evils of Military Government. I assert positively that the army have had nothing to do in the administration of the province, nor in any instance have they acted, but when called upon in support of the civil authority, and instances of such calls are very rare, and never extended further than for a file of sometimes five or six men to arrest some disorderly person, who resisted a warrant or summons from a Magistrate. I might ask every citizen in the province, if he had experienced oppression from the Military, and I should be answered in the Negative. The fact is, I have been particularly careful to prevent any interference of the Military, with the civil authority, and any insinuations to the contrary however remote or indirect it may be I must repell. I shall never cease to believe the Louisianians are an amenable, well disposed people, but I fear they are too easily influenced by the counsels of men who flatter them. My own opinion is, that the idea of a State government did not originate with any of the ancient *inhabitants* of Louisiana; they wanted the privilege of electing their Legislative Council, and the Slave trade opened for a few years;— but more important rights have recently been claimed, and their zeal and enthusiasm excited to a great degree. I will nevertheless, offer it as my opinion, that the people generally (in relation to their government will be contented, if the Second Legislative Council is made elective, and I think myself, that if that body was given the power of electing a delegate to congress, it would tend still more to tranquilize the public mind in this quarter; but the slave trade seems to be a favourite object throughout the Province— And I believe the impression that by becoming a State, this trade would be under their

own controul untill the year 1808, has had some influence in rendering popular the claims of immediate admission into the Union.

I was particularly desirous to keep this city free from party disputes and party writings; but the introduction of News Papers among us, has opened the avenues to political discussion, and I see with concern that the spirit of party is daily acquiring nourishment.

The Louisianians hitherto Unaccustomed to the Liberty of the Press, are illy reconciled to its Licentiousness, and I very much fear that sooner or Later, the public peace will be disturbed by the resentment which some party or indecent publications will excite. A Late anonymous writer who attacked the Memorial to congress, in a strain of imprudent and severe irony has greatly agitated the public mind, and I am sorry to add that the peice having been printed in the paper called the Union (a paper in which the Laws of the United States and My ordinances are printed) has given rise to an opinion that the writer is coutinanced by the governor.

The people here or rather some of them seem to think that the press is under my controul, and what appears in print, is supposed not objectionable to me. The fact is, that in my character as a citizen, I have taken the liberty to request the editors of News papers not to print any piece, that might tend to irritate or divide our society; but I never can, nor never will in my official Character attempt to exercise any authority or influence over the press.

Accept assurances of my great respect & Esteem

(Signed) William C. C. Claiborne

The Honble.

James Madison

Secretary of State

To James Pitot.

New Orleans 27th July 1804

To the Mayor & Municipality,—
Gentlemen,

I hasten to Lay before you the enclosed petition to me, from several citizens who conceive themselves injured by a Late decree of your honorable body. I have heretofore supposed that the property to which the petitioners allude belonged to the city & subject to the controul of the Municipality. If however this should not be the case, I think it ought to be presented by the United States to the city, and I beg Leave to suggest to you gentlemen, the propriety of petitioning congress upon the subject I am myself impressed with an opinion, that the removal of the houses upon the Levee would not only contribute, to the beauty of our city; but in a great degree to the health of the inhabitants an object of the first importance. I however should regret that the fund for the orphan children should be destroyed, or that the petitioners should sustain any Loss without being amply remunerated. I trust the resources of the city will be sufficient to make some other provision for the Orphans, and I know that its justice will not permit the Latter, and in the event that it devolves on the United States to make some disposition of this property, I am persuaded their proceedings will be just to all parties.

After you have deliberated on the petition I will thank you to return it to me, as I have no other copy.

I am Gentlemen with Respect & Esteem

Your Obdt. Servt.

Signed William C. C. Claiborne

James Pitot Esqre
Mayor

To James Madison.

New Orleans 27 July 1804

Sir,

I received on this morning *an answer* to my Letter of the 25th Instant to the Marquis of Casa Calvo, and having procured a translation thereof, for my own use, I now enclose you the original Copy.

The Answer of the Marquis developes in part the views of his court in relation to Louisiana; every exertion has been & will be made to conciliate & perpetuate the effections of the Louisianians towards the Spanish Government, and those who may continue to profess attachment (now that their allegiance has ceased) may at all times find an asylum in his Majesty's dominions & these are "the convenient effects" which were alluded to.

The President will see from the whole tenor of the Marquis's Letter how great the probability is, that Louisiana will for some time be subjected more or Less to foreign influence.

I am Sir Very Respectfully

Your Obdt, Servt.

(Signed) William C. C. Claiborne

The Honble.

James Madison

Secretary of State

To Henry Hopkins.

New Orleans 28 July 1804

Sir,

You will deliver the enclosed Letters to the persons to whom they are directed. These Letters are from the Reverend Mr. Walsh and are intended to put a stop to the religious dissensions which have recently disturbed

your district. I believe Mr. Walsh has named the Priest, that shall officiate in the church, and you will therefore deliver the Key to the gentleman who may solicit it; I sincerely hope the arrangement of Mr. Walsh will be promotive of tranquility; but should you find, that confusion continues, and the public peace is likely to be disturbed you will again shut the church and resume the Key; but this step must not be taken, unless it should be absolutely necessary to the preservation of peace and good order

I am Sir very respectfully

Your Obdt. Servt.

(Signed) William C. C. Claiborne

P. S. A petition I have lately received from the Atakapas, is an honorable testimonial in your favour, I hope you will continue to merit the good opinion of your fellow citizens, you will probably remain in your present situation for some time.

Lieut. Henry Hopkins

Commandant of Atakapas and Opelousas

To the Marquis of Casa Calvo.

New Orleans 28 July 1804

Sir,

Previous to the receipt of your Excellencys letter of yesterday, the privateer to which you alluded, had attracted my attentions. That vessel came into this port, some time ago, in order to repair certain injuries in her hull which she had received at sea, and which repairs being complete she is about to depart. I cannot learn after the strictest examination, that she has violated the Laws of Neutrality. The Mayor of the city, the attorney general of the province, and the captain of the port

visited (by my order) the privateer on this morning, and they report, that no Spaniards are on board. The names of the crew, are herewith enclosed, and it seems they are all Frenchmen Lately arrived from St. Domingo and Jamaica.

Accept assurances of my sincere esteem and high Consideration

(Signed) William C. C. Claiborne

His Excellency

The Marquis of Casa Calvo

To James Pitot.

New Orleans 28 July 1804

Sir,

I have received information that the French privateer called *La Soeur Cherie* has greatly increased her crew since her arrival in this port. If the men enlisted are French citizens, and the enlistment was made on board of said vessel, there is nothing improper in the proceeding; but if this be not the case, the Law is violated.

Will you therefore be good enough to visit the said privateer, examine the crew on oath, and report to me, the nation to which each and every of them respectively belong, and where enlisted.

The attorney general Mr. Gurley, and the Harbor Master Captain Davis will accompany you.

I am Sir very respectfully

Your Obdt. Servt.

(Signed) William C. C. Claiborne

James Pitot Esqre.

Mayor of New Orleans

To Thomas Villaneuva.

New Orleans 29 July 1804

Sir,

I have received your favor of the 22nd instant concerning the Conduct of Michel Bourgeois. Relying upon your justice & impartiality in the execution of the duties of your office I request you to make the said Michel Bourgeois give security for his future good behaviour, or upon his refusing so to do, to fine him in any sum not exceeding fifty dollars and cause him to be imprisoned not exceeding two months. Of this proceeding and the future conduct of Mr. Michel Bourgeois I will thank you to give me information. I have received the memorial signed by several inhabitants of your district respecting the improper treatment which they received from some drunken Indians on the Bayou. I wish you to endeavour to strengthen the confidence of the inhabitants in the vigilance & justice of our government and to assure them that all the means in my power shall be used to remedy the inconvenience which the Louisianins generally experience from the visits of savages. In the mean time I wish you to send for those indians who committed the offence against Mr. ——— and inform them that their New Father the governor at New Orleans wishes to see them, that he has something to say to them & a present to make them. By this means you will be able I flatter myself to remove from your district, the present disturbers of its tranquility.

I am Sir, with Sentiments of Esteem

Your obdt. Servt.

(Signed) William C. C. Claiborne

Mr. Thomas Villaneuva

Commandant Dans La fourche

From James Madison to Gov. Claiborne.

Washington 19 June 1804
department of State

Sir

By the last mail, the President has received your Letter accompanying Mr. Pedesclauxs petition, and at the same time came to hand a representation from Louis de Clouet on behalf of himself and family requesting that means be devised for investigating the circumstances of the murder of St. Juliens wife, in which he has charged de Clouet and his family as instigators and accomplices.

As Mr. Pedesclaux was deprived of his office by Mr. Laussat, as you have already provided for him at Least as far as your sense of his merit will admit, as the admission of his right to compensation would establish a precedent applicable to others who have been equally deprived, and as congress alone are competent to grant him compensation, the President has no room to act on the occasion. You will therefore take occasion to convey to him a knowledge of this incompetency to grant his petition, and that his recourse, if, indeed after this attempt, he is advised to address his claims to any Branch of the American Government, must be to the Legislature.

Mr. De Clouets business is entirely of a judicial nature and as St. Julien has been held to bail, the judiciary powers of the country must decide wheather he is subject to a trial & in what form. To create a new jurisdiction and new rules of trial adapted to the circumstances of a particular case, would militate with both the justice and policy of the United States. I enclose his representation and request you will make him under-

stand, in the way you may think fit, these reasons for the Presidents declining to interfere.

With great respect & Consideration I remain Sir

Your most Obedt. Servt.

(Signed) James Madison

P. S. I have received your Letters of the 21st March, 7, 8, 9, 10, 13, 14, 11, 21, & 25 April, and 3, 8, 10, & 13 May. Enclosed I send you two dozen of Passports making 48 in all.

His Excellency
Governor Claiborne

From James Madison to Gov. Claiborne.

Washington 26 June 1804
Department of State

Sir,

Since mine by the Last Mail I have received no Letter from you, Enclosed is a copy of a petition of John Devereaux Delacy to the President. If you can conveniently procure for him the papers relative to Blount & Allison, and the Letters of Lohra, to which he refers, and from their nature there is no impropriety in his being possessed of them, I doubt not you will cause them to be restored to him. The nature of the bond he states to have been taken from him, is not explained; I can therefore only request, What you would doubtless have been inclined voluntarily to do on his application, that every document Necessary to state his case may be furnished to him, provided they are not such as peculiar reasons exist for withholding.

Permit me also to request that you will furnish me

with any information you may think proper relative to his case.

Enclosed herewith you will receive sixteen passports

I have the honor to be Sir, with great respect

Your most obdt. Servt.

(Signed) James Madison

His Excellency

Governor Claiborne

To James Madison.

New Orleans 30 July 1804

Sir,

Your Letters of the 19th and 26th of June, together with their Enclosures, I have had the honor to receive. I shall inform Mr. Pedescleaux and Mr. De Clouet of the reasons which induced the president of the United States not to interfere in their cases, and shall refer the former to congress, for a further prosecution of his claim should he still think it maintainable, and the latter to the Superior Court to be instituted in the Orleans Territory on the 1st of next October, for a redress of the injury which himself and Family are supposed to have sustained, and in the mean time, St. Julien will not be released by any act of mine from the recognizance which he entered into with M. Laussat. John D. Delacy has left this city, nor do I know whither he is gone. The papers which he alludes to never were in my possession, nor do I recollect to have received from Mr. Delacy the statement he mentions; it is however very probable that a List of the papers spoken of, were enclosed me, for the communications from Mr. Delacy to me, during his confinement in this city, were frequent and voluminous. I have very little personal knowledge of Mr. Delacy or the causes

of his Misfortune; but fame gives him a bad name, and his confinement here, did not seem to excite a great share of public sympathy. I was informed on my arrival in New Orleans, that delacy with 31 or 32 others were charged as accomplices of General Bowles, also of having committed an offence against the flag of Spain on the high Seas and were claimed by the commissioners of Spain as state prisoners Whom they had a right to withdraw with their forces from the province. Without discussing the propriety of this doctrine which I understood Mr. Laussat had acceded to, but which I thought somewhat doubtful I contented myself with interceeding with the Marquis of Casa Calvo for their release, and finally *delacy* and I believe thirty one of his fellow prisoners were committed to the disposition of the commissioners of the United States by the Spanish Commissioner, upon one Condition, to wit; that Delacy and a man of the name of Thomas should be compelled to Leave the province of Louisiana. The Letters upon this subject you will see among the official correspondence of the commissioners of the United States which were forwarded to the department of State. The condition on which the pardon was effected, was made known to Mr. Delacy on the next day after it was obtained, and he seemed to acquiesce with it. His own bond was taken by the Sheriff for his departure (being unable to give security) & fanally he has left the City. Thomas also gave bond for his departure, but I believe he is yet in the city, and if so he will remain undisturbed. With respect to Mr. Delacys papers I will mention the subject to Don Andre de Armesto the Late Secretary of Louisiana, and I will request such as may relate to his (Delacys) private concerns. I will here take the Liberty generally that the Spanish prisoners were a source of some embarasment to me; I doubted wheather their confinement was at all proper, but after the period allowed

by treaty for the evacuation of the province, I was clearly of opinion, that a continuance of their imprisonment was illegal. These men however were generally murderers and robbers of the basest kind:— their removal from our society was a great public benefit, and I connived at the imprisonment until the Spanish officers could remove them which has been effected:— If however a habeas Corpus had been solicited, I should have granted the same, and on return thereof and enquiry would have taken place as to the Legality of such confinement. I have made these general remarks to shew you that Delacys case and that of other Spanish prisoners have engrossed my attention, and to show you also that under the Treaty, my opinion is, that the benefit of the writ of Habeas Corpus does already extend to Louisiana.

I am Sir very Respectfully

Your most Obedt. Servt.

The Honble.

(Signed) William C. C. Claiborne

James Madison

Secretary of State

To Henry Hopkins.

New Orleans July 31st 1804

Sir,

I have understood that in the District of Atakapas there is a Tract or Tracts of Land claimed by different Persons which has hitherto been a cause of much disturbance among the Inhabitants, and I am particularly Solicitous that this disturbance may not now be renewed. Will you therefore immediately on the receipt of this Letter Send for Mr. Potier the Surveyor, and charge him not to resurvey any of the Land alluded to. In the course of next Winter a Tribunal will be established

competent to the Trial of all causes relative to Land, and then the Titles of the respective claimants may be investigated and decided on.

I am Sir, with Esteem and Respect

Your Obdt. St.

(Signed) William C. C. Claiborne

Mr. Henry Hopkins

Commandant of Atakapas & Apelousas

To Henry Hopkins

New Orleans August 1st 1804

Sir

In your Letter of the 7th of July you inform me that you "have two Criminals in confinement relative to whom you await my determination" had you Stated the nature of their Offences, I could have given you certain instructions, but as this was omitted, I must Say to you generally, that if either or both are charged with murder you must Send him or them to New Orleans with a Small guard of Militia, but if their Offences are not of a high criminal nature, you are hereby authorized to discharge them, and I the more readily extend my lenity towards these persons, Since they are the first who have offended in Atakapas Since the rearing of the American Flag in Louisiana, and I am desirous that mercy Shall be displayed in our first Acts, and that at all times it shall (united with justice) prevail.

I am Sir very Respectfully

Your Obdt. Sev't.

(Signed) William C. C. Claiborne

Mr. Henry Hopkins,

Commandant of Atakapas & Apelousas

To Henry Dearborn.

New Orleans August 1st 1804

Sir,

Not long before my departure from Natchez I drew upon you, I believe on the 19th of November for one hundred Dollars in favor of Israel E. Trask. In looking over my Public Accounts on this day, I find the charge which occasioned that Draft, and I now have the Honor to enclose you a Voucher for the Same.

I am Sir very Respectfully

The Honble.

Your obdt. St.

Henry Dearborn (Signed) William C. C. Claiborne
Secretary of War

To James Madison.

New Orleans 1 August 1804

Sir,

More than two Months ago, I received information that a Small French Privateer, in company with two Brigs the one under French and the other Spanish Colours had entered the Mississippi. The Brigs entered in the River below Plaquemine, and the Privateer with my permission passed that Fort, and came to about two Leagues below this City. Rumor soon pronounced both the Brigs to be prizes, and a variety of circumstances seemed to confirm it. The Privateer admitted visits from no one not attached to her, and except her Officers no person was permitted to go on shore. The Brig under Spanish Colors was loaded with Coffee, and information was received at the Collectors Office, that partial Sales thereof had been made to persons coming up the River at very reduced prices. An Officer of the Customs was immediately dispatched to detect the abuses but

previous to his arrival the Vessel had Weighed Anchor and passed out of the River Mississippi by the South West pass, and destined as was said to Pensacola.

The Brig under French Colors proceeded up to this City in Character of a French Merchant Vessel from St. Domingo consigned to Citizen Blanque, the Gentleman named by Citizen Laussat as the French Commercial agent for this Port; but he having declined the assignment, the same was accepted by Mr. Evan Jones, and on Saturday last that Gentleman entered the Vessel, gave the Customary Bonds for securing the duties, and obtained a permit to Land the Cargo.

By this time I had information on which I could rely that the Brig purporting to be a Merchantman from St. Domingo was in fact a prize, whereupon Mr. Trist was requested not to Suffer the execution of the permit to Land the Cargo until he heard further from me the Subject. An examination relative to the Vessel was immediately commenced and after the exhibition of much contradictory Testimony and wilful perjury, it appeared that "the French Privateer somewhere in the Latitude of Havana Captured an American Brig called the Mary, Captain Linn on her passage from Jamaica to Norfolk in Virginia, and the British Brig Active Captain Rasin on her passage from Jamaica to London, and brought both Prizes into the Mississippi. The American Brig after laying Several days in the Mississippi and making Sale of much Coffee, again went out to Sea was run aground near Cat Island, the Cargo Landed and the Vessel Burnt. The British Brig came up to the City was entered at the Custom House as the Hector from St. Domingo; that the Papers produced at the Custom House, were all forged at Sea, and that a Sale of the Cargo had been conditionally made to Mr. Evan Jones, and who had himself offered the Same for Sale to others, all which will more fully appear from the Depositions

and other Documents enclosed from No. 1 to Number—— inclusive.

It now remains for me to observe that upon the exercise of my best Judgment, it seemed to be my duty to cause the Brig Active, thus entered illegally and corruptly and the Cargo Sold contrary to our Solemn Treaties, to be Seized, and to hold the Same, Subject to the orders of the President of the United States.

I have the Honor to be very Respectfully
Your obdt. Sv't.

The Honble. (Signed) William C. C. Claiborne
James Madison
Secty. of State

To Edward D. Turner

Sir, New Orleans 1 August 1804

I have received your Several Letters of the 14th June 6, 12, 13 and 14th of July, and to which I now reply. Should the Government determine to maintain the Post at Natchitoches, there can be no doubt, but it will purchase the ground you recommended, provided it should be Private property; but I am inclined to think that the Scite you have mentioned, Six Miles above will be Selected for the permanent Garrison. In Barkers case you will direct a Sale of the Property, and cause the Debts due him to be collected, and make a distribution of the proceeds among his creditors; in this distribution you will take for your guide, the immutable Principles of Justice, and there can be no doubt but your proceedings will be Satisfactory. The claims exhibited against Barker you must be assured are justly due, before you allow them, and in every instance where the claimant presents himself you must examine him on oath whether all or any part of his present demand had heretofore been discharged.

Among the claims exhibited it may happen that, preference ought in justice to be given to some of them; that is to Say, that Some claims may be of Such a nature as to merit a priority of payment in preference to all others; but of this your own judgment will prescribe what is proper and you are to act in conformity of its dictates.

If Major Tittle will consent to pay his Debt to Barker in Peltry I have no doubt but such a remittance would be acceptable to Mr. Randall. In general cases where judgments are confessed for claims exceeding 100 Dollars, and the Parties consent that Property should be taken in execution and Sold you are at liberty to act, but otherwise you must await an order of Sale from the Governor. The News from Nacogdoches is of Such a nature as to excite Some anxiety but I am persuaded no hostile Measures on the part of the Spaniards will be hazarded: I am impressed with an opinion that the possession of that part of Louisiana Lying West of the Mississippi, by the United States is a Source of uneasiness to the Spanish Monarch, and there is no doubt but it has in a great Degree excited the Sensibility of some of his Agents in the Interior Provinces of Mexico. That attempts have been made and will be made by the Partizans of Spain to alienate the affections of the Louisianians from the American Government, I am well aware. But the Spanish Monarch has more wisdom than precipitately and without provocation to commence a War with the only Nation on Earth who could take from him those possessions from which the Kingdom of Spain has for so many years been maintained.

Lest however your Post might possibly be attacked I would most Willingly send you a re-inforcement, if the State of things and our Troops here would permit: but the fact is that taking into view the number of men daily

in the Sick Report there are not more than a sufficiency fit for duty to furnish the necessary reliefs for the guards which are daily required. If indeed the views of your neighbours are Hostile, unless the forces from New Orleans were reduced much more than prudence would justify we could not send you Such assistance as would enable you to make effectual resistance. Upon a consultation with Colonel Freeman we deemed it best, that you should proceed to place yourself in the best possible State of defence, that in the event of danger you would call to your aid that part of the Militia in which you could confide, and if attacked to make the best and most obstinate defence which your means will permit.

Colonel Freeman has promised to send you a Supply of Powder and Ball, but the pieces of Ordnance and the couple of 5 inch Howitzers with their Ammunition which you have Solicited it is not at present in his power to forward. Our forces in Louisiana, are such as were deemed proper for a peace establishment. A Contest with Spain has not been contemplated, but the moment a Gun is fired on your Command by Spanish Troops, the War is begun, and you may readily predict how it may terminate.

A Love of peace Seems to be a National passion of my Country, and I pray God it may long remain so. The blood Shed in War is not its only evils. The ravages of Agriculture and of commerce which follow in its train, and the constant and heavy drafts on the proceeds of industry which attend its prosecution are Misfortunes which a wise and virtuous Nation will always be Solicitous to avoid— But although our Country Loves peace She fears not War;— If Spain wishes the contest She has it in her power to be gratified. Aggressions on her part will be resisted, and if any are offered, I trust you will live to witness an issue favorable to your wishes

and to partake of the Honor which awaits those who Support the Interest and glory of the American Nation.

I have the Honor to be with Sentiments of Esteem

Your obdt. St.

(Signed) William C. C. Claiborne

Captain Edward D. Turner

Commandant of Natchitoches

To Captain Davis Harbor Master

Sir,

Will you do me the favor to Solicit the assistance of Some respectable and well informed Merchant and visit the Prize Brig Active and examine the Cargo of Said Brig in order to ascertain Whether or not it is necessary for the preservation thereof, that it Should be landed.

I will thank you to report to me your opinion as Soon as may be convenient, for if it should be proper to discharge the Vessel, I wish to commence about it immediately.

I am Sir Your Obdt. St.

(Signed) William C. C. Claiborne

New Orleans

August 3rd 1804

To Lewis Kerr Esqr., Sheriff of New Orleans and performing the duties of Marshall for the District of Orleans.

Sir,

You will be pleased (immediately) to proceed to discharge the Cargo of the Prize Brig Active, and to cause the Same to be carefully stored in good dry Stores.

I am Sir your obt. St.

(Signed) William C. C. Claiborne

New Orleans

August 4th 1804

To James Madison.

New Orleans August 4th 1804

Sir,

Since my Letter of 1st Instant the Captain of the Privateer has Shewn me the Papers of the Prize Brig Active, from which it appears that she was built at St. Johns New Brunswick and is the property of William Pagan, Robert Pagan and Thomas Pagan Merchants of said place. The Active was commanded by a Captain Raisin, and when taken by the Privateer was on her passage from Jamaica to London with a valuable Cargo. This Vessel being fraudulently entered at a Neutral Port as a Merchantman and her Cargo actually sold, I deemed it proper to direct a Seizure of the Same and a Copy of my orders to that effect, to the Marshall is herewith enclosed No. 1. I conceived that a redelivery of the prize to the Captors and ordering them away would not have been an adequate punishment for their fraudulent proceeding, a proceeding which had it succeeded might hereafter have Subjected the United States to the payment of the value of the Cargo to its owners or the underwriters. Fearful lest the Cargo of the Prize might suffer injury by remaining longer on Board I have directed it to be discharged and Stored; but for further information on this point I refer you to the Documents enclosed No. 2, 3, & 4. The original agreement Between Mr. Jones and the Captors for the Sale of the Prize was in the French Language, but I have obtained a correct Translation thereof and of which the Paper No. 5 is a Copy. The conduct of the Privateer in relation to the American Brig seems highly exceptionable, the deposition enclosed No. 6 will give you the particulars. I sent on yesterday for the owner and Captors of the Privateer and told them that neither themselves nor Vessel must depart this City, until the affair of the American Brig

was elucidated. They Stated that the American Vessel was from Port Au Prince and engaged in a contraband Trade that She had been captured by a French Privateer re-captured by a British Frigate and carried into Jamaica, and on her passage from thence to Norfolk they had taken her, all of which will appear from her Papers which are to be laid before me; they represent further that She was not run aground from design and after the Cargo was landed she caught on fire accidentally. Such are the facts which these men State and which they promise to prove, but my impression is that the Statement made by Johnson the Deponent is literally correct.

The man of the name of Joindar mentioned by Johnson as having assisted in the Landing &c of the Cargo of the Brig is an inhabitant of this City and it is my intention to have him brought before me on Monday next, and make him give Security to appear whenever he may hereafter be called upon, to answer for his agency in this Business. It is my duty further to advise you that information having been received that two English Ships now in this Port were recently taken from the French on the Coast of Africa and without a previous condemnation had proceeded with their Cargoes to this Port. I immediately caused the Captains and Consignees of Said Ships to be brought before me, but after due examination of them and their papers it appearing that the Vessels in question had been regularly condemned and British Registers and Letters of Mark obtained I saw no ground for further interference on my part.

Had this recent attempt to make New Orleans an assylum for Prizes and Ware House for their Cargoes Succeeded, the example would probably have been followed the vigilance of the Local Government, perhaps its integrity might have been questioned, and the Commerce of Louisiana ceased to have been respected. A

desire to produce effects and impression quite the reverse of these, and at the same time faithfully to discharge my duty, dictated the measures which have been taken, and I rely with confidence on receiving the Presidents approbation.

I am Sir very Respectfully

Your obdt. Sevt.

The Honble. (Signed) William C. C. Claiborne
James Madison
Secty. of State

P. S. The American Brig was called the Mary belonging to Norfolk in Virginia, the Captains name not positively recollected, but Supposed to be either Jones or Linn. The crews of both vessels were treated with humanity. The Cargo of the American Brig it is Said has been taken possession of by the Spaniards and will be carried to Pensacola. I shall write to Governor Folch, and request that the Proceeds of the Same may not be appropriated until the owners of the Brig may have time to lay in their claim for the same.

The Secty. of State

W. C. C. C.

To James Madison.

New Orleans August 4th 1804

Sir,

I enclose you copies of two Letter which I this day received from Captain Turner the Commandant of Natchitoches. The Caddo Indians Spoken of by Captain Turner is a Small Tribe Situated about 80 or 100 Leagues from Natchitoches; their Warriors are Supposed to amount to between three and four hundred, I shall invite the chief of the Nation, and five or Six of his Principal Men to pay a visit to New Orleans.

The Post of Adais which the Spaniards propose for-

tifying according to Captain Turners advices is not far from Natchitoches, I do not know the Coast Distance but I suppose it cannot be further than from ten to twelve Leagues.

I am Sir very Respectfully

Your obt. St.

The Honble. (Signed) William C. C. Claiborne
James Madison
Secty. of State

To Julien Poydrass.

New Orleans August 6th 1804

Sir,

Your Letter of the 10th of July together with its enclosures have been regularly received, your conduct in bashleys case meets my entire approbation, and your Correspondence with certain Inhabitants of West Florida, relative to Kempers party was marked with prudence and propriety. The question of delivering up a person escaping from one Government to another is a question of delicacy and importance. In Treaties between Nations the Subject is sometimes noticed and Special provision is made for the arrest and delivery of fugitives from justice. But as our Treaty with Spain contains no Stipulation of the kind the case is left to be decided by the general customs and Laws of nations, and I believe, these are against the Surrender, but where mischievous and dangerous men flee from a Country whose Laws they have offended to a foreign Nation an Assylum is sometimes refused, and their immediate departure commanded. I trust however that an occasion Similar to the one which has occasioned these remarks will not again happen, and that the two Banks of the Mississippi from the Source to the Mouth of that grand

River will shortly be under the acknowledged Dominion of the United States. I know indeed that a report is in circulation that the Western Bank of the Mississippi is to be receded to Spain in exchange for the Floridas, but I assure you Sir, my Letters from Wahington are Silent upon the Subject, and my opinion is decided that the report is without foundation.

I am indebted to you for the proper manner in which you repelled the insinuation contained in the Letter to you from Mr. Estivan and others, that the Governor of Louisiana countenanced the proceedings of Kempers party. An Officer of the United States is too friendly to good order, to be pleased with the riot and confusion in a neighbouring Province much less to encourage it. The instrument of writing of which Mr. Estivan speaks was nothing more than a Power of Attorney attested by Mr. Broutin a Notary Public at this place, and a Certificate from myself that Broutin was duly commissioned a Notary Public. With respect to the Militia Patroles, I wish it to be understood that every free White Citizen between the Ages of eighteen and forty five are Subject to this Service—their duty will be to arrest all Negroes who may be found from their homes without passes from their owners after 9 oClock, and also all Suspicious persons who cannot give a good account of themselves. The Patroles will be ordered out by the Commandant of the District, whenever he may think proper, and the persons by them arrested are to be brought before the Commandant:—Slaves will receive Such correction, as the general Police concerning Slaves prescribe, and free persons will be discharged unless indeed they should be charged with offences and then the Commandant will proceed against them accordingly.

From the Patrole Service no man is to be excused unless from age or Bodily infirmities, and I rely with Confidence that my fellow Citizens of your District will

promptly and chearfully perform a duty which is essential to the general Security. Information of the completion of Revolution of France has just reached us. Buonaparte is Emperor of the French and the right of Succession is hereditary in his family, thus has ended a Revolution, which in its commencement promised to better the condition of man; but amidst all the changes and Revolutions of Governments that of the United States remains Stable. It is founded on reason Supported by Justice, and dispenses political freedom peace and happiness to more than five Millions of people. Ought we not to feel gratitude to Almighty God for Such Signal blessings?

Every thing remains quiet in this City, but I am Sorry to find that Some late anonimous writings have created Some agitation in the Public mind. The Citizens of Louisiana heretofore Strangers to the Liberty of the Press cannot well bear with its licentiousness;— this indeed is a Misfortune inseperable from its freedom, and an attempt to restrain the one, may prove fatal to the other, hence we find that the Papers of the United States occasionally manifest unbridled Licenciousness, and for which altho a Subject of Serious regret a remedy has not yet been discovered. I hope therefore that in a Little time the Louisianians with their fellow Citizens of the United States will see the importance of the Liberty of the press, and rather than endanger that Palladium of our rights will bear patiently with its licentiousness.

I am Sir with Respect and Esteem

Your most Obdt. Hb. St.

(Signed) William C. C. Claiborne

Julien Poydrass Esqr.

Commandant of Point Coupee

To His Excellency the Marquis of Casa Calvo

Sir,

I am requested by Messrs. Kenner and Henderson Merchants of this City who obtained some time ago a judgment against Nicholas De Finiel an Officer in the Service of his Catholic Majesty, to Solicit your Excellency to pay on account of the Said Finiel a part of the pay which may now be due him, and in discharge of the Said Judgment. Your Excellency will recollect that in this case you were good enough to promise me that one half of the pay of the Debtor should be appropriated to the discharge of the claim.

I have the Honor to be with great Respect

Your Excellencys most obdt. St.

(Signed) William C. C. Claiborne

His Excellency

The Marquis of Casa Calvo

To Gov. Folch

New Orleans 7th August 1804

Sir,

I have the Honor to address your Excellency in behalf of a Citizen of the United States who is now experiencing at the Town of Mobile a degree of injustice, which I am persuaded Sir, you will hasten to remedy. Permit me to lay before your Excellency the following concise statement of the case. John Hinson an Inhabitant of the Mississippi Territory owes a Debt of Some magnitude to Watson and Staggs late Merchants of New Orleans, and for whom George Pollock of Said City is the Agent.

The private business of Hinson calling him to Mobile he was recently arrested at that place at the Suit of George Pollock for the Debt aforesaid, and was thereupon

committed to close confinement in the Fort, and instead of that lenient treatment which unfortunate Debtors are entitled to he is lodged in a Dungeon the very apartment which (is said) was heretofore appropriated for the most obdurate Malefactors:- It is represented as being enclosed by a Small Brick Arch and So confined as Scarcely to admit a Ray of light, and here Sir this Stranger who has committed no offence against the Government and Laws of Spain (denied the Solace of Friends and the use of Pen Ink and Paper) is left to languish. The bare recital of the Sufferings of this American Citizen cannot fail to excite the Sympathy and insure the interference of your Excellency. From a generous and benevolent chief therefore - one who is worthy the esteem of an August Sovereign who causes justice and mercy to be administered, I confidently ask the immediate release of my injured Countryman, from his present Cell of Misery, and that his future treatment may be Such as is usual for Debtors to experience. It is my duty Sir further to to Solicit that the conduct of the Officer Commanding at Mobile through whose agency the injustice I complain of has been inflicted, may be enquired into and that your Excellency may take such measures on the occasion, as shall be consistent with Justice, and that friendly understanding which happily Subsists between our two Nations.

I have the Honor to be Sir with great consideration and Sincere Esteem

Your most obdt. Sevt.

(Signed) William C. C. Claiborne

His Excellency
Governor Folch

To James Madison.

New Orleans 9th August 1804

Sir,

In the District of Atakapas where party feuds and much general disquietude prevailed on our taking possession of this Province, I have the pleasure to inform you that the most perfect good order now exists, this favorable change is attributed in some degree to the conduct of a very young but I believe a very deserving young officer of the name of Hopkins, who having been stationed by General Wilkinson at Atakapas with twenty five men, was appointed by me from consideration of Sound Policy Civil Commandant of that District. This young Man had acquired a knowledge of the French Language was pleasing in his manners attentive to the rights of the Citizen and executed with promptness and fidelity all my instructions: I was desirous therefore that he should remain at the Atakapas during the present Temporary Government and Solicited Colonel Freeman by a Letter a copy of which is enclosed to Suspend for the present an order from General Wilkinson relative to Hopkins which the Colonel was friendly enough to do, and to advise the General thereof but a Second order from the General I learn is imperative, and the Colonel will of course obey. To account for my Solicitude to retain Lieutenant Hopkins at Atakapas, and to Shew how prudent that young Man has conducted himself I enclose you a Petition from the Inhabitants in his favor. Of little consequence as this event may appear to be at the Seat of Government, it will be a Source of Serious embarassment to me. At Atakapas there are two Parties and so bitter are their animosities, that I cannot select a Citizen there for Civil Commandant who would be agreeable to the people generally or perhaps just. I sincerely wish it were possible to execute the trust committed to me by my Government, without occasionally making some requests of the Gentlemen

Commanding the Troops and which are the more painful, because I am Subjected to a refusal and because I run the risk of incurring a Suspicion of intermeddling with a Department perhaps exclusively under the guidance of another in order therefore that this delicate Subject may be placed on a footing which will be agreeable to all parties, I Sincerely desire that the President would be so good as to say how far a request from the Governor, to the Commanding Officer, ought or ought not to be attended to.

I wish it to be understood that I ask an explanation from you, on this point Solely with a view to remove all cause of Distrust, and I take this opportunity to declare that I have never felt the smallest disposition to meddle with the Army in Louisiana. I have disclaimed Command of any kind even of the most limited nature, but I must confess that when necessity compels me to make a request of the Officer Commanding, and for which the responsibility would rest upon me, I should be chagrined to meet a refusal, I have to add that between Colonel Freeman and myself there exists a very friendly understanding. The Troops are in excellent Subordination, and do great credit to the Officer Commanding.

I have the Honor to be with Esteem and Respect

Your Obdt. Servt.

The Honble. (Signed) William C. C. Claiborne
James Madison
Secty. of State

To James Madison.

New Orleans 9th August 1804

Sir,

I have the Honor the receipt of yours of the 10th Ultimo.

I am glad to understand your Sentiments on the case of St. Julien, the more so, as they entirely coincide with

my own. His Bail I believe to be good and even independent of that, he and his friends seem so confident of his innocence that there appears at present no grounds to apprehend that he will avoid a fair Trial whenever he may be called on.

Under these circumstances it might at least be unnecessary if not inexpedient to hurry a final investigation, and I am inclined to think that the event would probably give more general Satisfaction, should the case be reserved for the more regular Tribunals shortly to be established in the Province.

My Letters of the 1st and 4th Instants have already informed you of my proceedings in regard to the French Privateer and the Prizes brought by her into this Port, and the trouble and anxiety which the investigation of that affair cost me. It being the opinion of the Merchants here that the Cargo of the English Prize would Suffer considerably should it remain on Board, in the River at this Season I have directed that the goods be landed and stored to await the final determination of Government, unfortunately the American Brig never came within my reach, indeed until the fraud in regard to the English Prize was fully developed there was no kind of Satisfactory evidence with respect to her, to what nation she belonged why she had been captured, or what the intentions of the Captors were. These particulars were brought to light for the first time on the investigation concerning the other Prize; and it was then too late to take any effective Measures to rescue the property. By that time the Brig had left the River, was run aground on Cat Island near the Bay of St. Louis and burnt all her tackle and furniture of any value together with the Cargo having been previously Landed partly on the Island and the remainder on Shore at the Bay of St. Louis. That on the Island is said to have been shortly after seized by a Spanish Guarda Costa, and that on the Main was within

the Territories claimed and Still held by the Spanish Authorities. I have intimated these circumstances to the Marquis of Casa Calvo, with a request should my information prove correct, that the proceeds of Such goods as may have fallen into the hands of the Spaniards, may be retained by the Government until the original owners have an opportunity of claiming the Property. The part landed at the Bay of St. Louis was stored there in the House of one Jourdain an Inhabitant of this City who is supposed to have been present when the vessel was Burnt, and assisted in landing the Cargo: Indeed of these facts I have evidence on oath, I therefore caused Jourdain to be arrested and to enter into a recognizance for his appearance before any tribunal having competent jurisdiction in the premises whensoever he may be required. It gives me much pleasure that my correspondence with Governor Folch has been approved of.

I am with great respect
your obdt. St.

(Signed) William C. C. Claiborne

The Honble.
James Madison
Secty. of State

To James Pitot.

New Orleans August 10th 1804

To The Mayor And Municipality
Gentlemen,

I have the Honor to acknowledge the receipt of your two Letters of the 9th Instant, the one relative to the arrival of Strangers in this City, and the other concerning a Dispute between Mr. Henderson and one of his Neighbours. In reply to the first I observe that under the general powers with which the Municipality are already in-

vested they have authority to take such measures, as will not be inconsistent with personal rights, to enquire the names and characters of Such Strangers as may visit this City, and if upon investigation any Suspicious and dangerous person should be discovered they are authorized to take the necessary Steps for his confinement until his Character and views can be fairly and fully made known. This investigation being made by the Municipality and reported to me it will fall within my Province to decide whether such person shall be compelled to leave the Country or Suffered to remain among us, and I trust that in all cases you will do me the Justice to believe that the good of the Province and a Sacred regard to Justice will be my guide. I would propose to the Municipality as the best and most effectual way of accomplishing their wishes in relation to Strangers to pass an ordinance directing the Heads of Families, the Keepers of Taverns Inns, or Boarding Houses to report to them weekly the names, Professions occupations of every person lodging with them, Specifying the places from whence they came, their Colour &c and to enforce the Obedience of this regulation, by a fine not exceeding fifty Dollars for each neglect. Respecting the dangerous Character now in the River from Mt. Domingo, the Municipality are requested to take such measures as they may think proper for his Apprehension and confinement until his real character and Situation shall be discovered. As to the dispute between Mr. Henderson and his neighbour Keyser, about the dripping of Water from the House of the former into the yard of the Latter, you will easily discover Gentlemen that this is an affair of right between two Citizens, and must be decided before a Court of Justice, where both parties can be heard in person or by Counsel. I regret that any Citizen Should refuse to obey the regulations of Police, and flatter myself that whenever Mr. Henderson

or any other person Shall so offend, that the Magistrates will inflict the penalty prescribed.

I am with Sentiments of Esteem and Consideration.

Your Obdt. St.

(Signed) William C. C. Claiborne

The Honble.

James Pitot Esq.

Mayor of New Orleans

To Edward D. Turner.

New Orleans August 10th 1804

Sir,

I have received your Letter of the 30th Ultimo, together with its enclosure. The alarm existing in your District is Such, as the reports from Nacogdoches were calculated to excite. I still hope however that the Decree Spoken of originates in the Brain of the Spanish Commandant, and that his conduct will be disavowed and punished by his Superiors.

The Sequestrations of the Property of Aliens by a Government is in itself an act of Hostility, and the invitation to Slaves to escape from the Service of their Masters under a promise of Freedom, may be a policy Suited to the views of the Chiefs of St. Domingo but I cannot readily believe that it would be resorted to by the King of Spain; but as Some interval may elapse before these difficulties are altogether removed, I wish you in the mean time, to employ the Militia of the Country as well as the Small body of regular Troops now with you in Such manner as you shall judge most expedient to keep up a strict police in the Country and check the evils which threaten it. Your Arrangements to that effect should be made so as to distress the People as little as possible and prevent the increase of Public alarm. I wish also that you would

direct the Inhabitants who loose their Negroes at this Crisis to report the Loss to you as Soon as possible after the Negroes flight, giving you the age, description, reasonable value &c of the Same. Of these you will then be pleased from time to time to make a report to me. Such papers will be necessary on the final adjustment of the affairs with the Spanish Government. I last evening communicated your intelligence to the Marquis to the Marquis of Casa Calvo who does not hesitate to pronounce the conduct of the Spanish Commandant extremely reprehensible; and altogether unauthorized. The Marquis I believe will write to him on the Subject.

I received by the last Mail from Washington letters of a late date, by which I learn that the most perfect good understanding continues to Subsist between the United States and Spain and confident hopes are entertained that all difficulties respecting the Country its Limits &c will be Speedily and Amicably adjusted.

I am Sir with Sincere Regard and Esteem

Your obd. Hb. St.

(Signed) William C. C. Claiborne

Captain Edward D. Turner

Commandant at Natchitoches

P. S. My Letter to you by Lieutenant Bloodworth will explain to you my Sentiments on the Manner in which Civil executions should be levied in your District.

W. C. C. C.

To Gen. Wilkinson.

New Orleans August 10th 1804

Dear Sir,

I have received your Letter from Washington and for which Act of friendly attention I sincerely think you. The allowance of our expenses while Commissioners gives me great pleasure, had they been rejected I should have inevitably been ruined. My necessary private expendi-

tures far exceed my Salary; So much So, that on a Settlement of my accounts on the first of this month I was in Debt 1200\$ with only 150\$ in the House and not a Cent due me from the United States. Such then are my prospects with respect to pecuniary Matters, and unless my Successor Should be a man of fortune, I will predict his Bankruptcy in about three or four years. We have had here some agitation in the Public mind on the Subject of Political Rights, our acquaintances Edward Livingston Daniel Clark, Evan Jones, and many French Citizens in New Orleans in its Vicinity wish a State Government, and a Spirited petition upon the Subject drawn up by Mr. Livingston is to be presented to Congress at the next Session. This agitation has been increased by certain News paper publications which I am sorry to see, but which it is not in my power to restrain. The Louisianians heretofore Strangers to the Liberty of the Press are illy prepared to bear with its licentiousness. To myself blame has attached for not preventing and punishing the abuse and my forbearance is thought by Some the more unaccountable Since my own conduct has been the Subject of News Paper animadversions, and many bitter invectives. I however discover that the Public mind is becoming infinitely more tranquil, and I add with great pleasure that the most perfect good order prevails. Colonel Freeman told me on yesterday, that he has just received a Second order from you to relieve Hopkins, and that he should execute the Same. I am Sorry that you have insisted upon the removal of this young man previous to October, because I shall be at a Loss to Select a Suitable person to succeed him as Civil Commandant at Atakapas. My request to Colonel Freeman was made for his continuance from my own knowledge of his prudent conduct, and information that he was very much esteemed by the Citizens. Hopkins conduct has given

Universal Satisfaction and he has as the people themselves State restored order and harmony to a District, where great discontentments have hitherto existed. I have enclosed to the Secretary of State a Petition which I received from the Atakapas and I request that you would ask for a perusal of it, for I wish you to be convinced that my Letter to Colonel Freeman relative to Hopkins was alone dictated on my part by a desire to gratify the people and retain a young Man in Office who had meritted public confidence.

We have had a few cases of the Yellow Fever, but the City is Said not to be generally unhealthy. Mrs. Claiborne has been confined to her Room for Week past with a Slight indisposition and I flatter myself the attack will not be a Serious one. I am Sorry to Learn that the Health of your Amiable Lady is so much impaired, I pray you to present to her my respects accompanied with my best wishes for her Speedy recovery.

I am D Sir with Sentiments of great Respect
your obdt. St.

(Signed) William C. C. Claiborne

Genl. Wilkinson

Commander in Chief of the Armies of the United States.

To James Madison.

New Orleans August 25th 1804

Sir,

By last Mail I had the Honour of writing the President of the United States, a brief account of the illness of the Governor and his Lady by order of his Excellency. He now directs me to say to you that altho a convalescent so delicate in his Health and so unfavorable the Season the probability of a relapse is by no means removed. His Lady's situation is still more precarious. It was once believed that she was recovering, but her illness has returned, attended by such alarming Symptoms that al-

most every hope of preserving her life is extinguished. The painful Suspense and extreme anxiety of the Governor's mind for the Situation of his Lady must in his debilitated State retard the establishment of his Health. His Official labors have been various and unremitting; Scarcely a moment was allowed for relaxation and in this Country a larger portion of rest from Business is requisite, than in many others, particularly during the warm Season. Indeed so much of a slave has the Governor been to affairs of the State, it is matter of wonder he escaped so long. Physicians are strongly impressed with an opinion, that to withdraw a while from those labors which have hitherto so constantly employed his attention, is essential to the complete restoration of his Health. The City is generally free from disease. There have been it is true a number of Deaths but they were principally confined to Americans, Strangers to the climate, among these it is said have been fifteen or twenty or twenty cases of yellow fever.

The disturbance at Baton Rouge has in great Degree subsided. The Marquis of Casa Calvo made some communications to the Governor on the subject but from his inability to attend to business at present, they remain unanswered. By Letters from the different Commandants, it appears that a general tranquility prevails throughout the Province which is also the case in this City.

I am sorry to add that Mr. Trist the Collector is confined to his bed by a high Bilious fever: He has been ill but a short time and his Physicians do not think his case as yet dangerous.

I have the Honor to be with High Respect your most
obdt. St.

The Honble.
James Madison
Secty. of State

(Signed) Joseph Briggs

From the Marquis of Casa Calvo to Gov. Claiborne.

To His Excellency the Governor and Intendant General
Sir,

While I was in hopes that the indulgence granted to Kemper and his party on the mere verbal interposing of your Excellency would produce the natural effect to make them retire quietly to their plantations, on seeing every thing buried in oblivion, I have just received the disagreeable news that the Brothers Nathan and Samuel Kemper are always going about with arms accompanied by men of their party threatening every body, and that they have already gone so far as to commit serious offences such as murdering on the third instant a Constable with a Pistol, and taking of the skin of another with lashes in all which their Brother Reuben is co-operating from this City by the threats which he is exercising in writing to Justice Alexander Sterling. Finally on the 7th instant they have arrested the Captain of Militia Don Vincent Pintard the Justice Don Juan O Conner, and the Planter Champner Terry, and have raised up a Standard bearing Seven Stripes, white and blue and two Stars at the upper end with the design of Surprising Don Carlos De Grand Pre in his House, and falling afterwards on the Fort of Baton Rouge which attempt I am informed they have made but without success, because the Governor received timely notice of it, altho no more than two or three bands of 20 or 25 Men each have been discovered as yet the reports of the Alcades or justices and of Several other Inhabitants of Feliciana agree in saying that the whole District is in a State of Insurrection, as is likewise that of Tonica, by why you are led to believe the reality of the piece or Proclamation which they have published, and whereof I herewith send your Excellency a Copy. The Harmony and perfect under-

standing which happily exist between his Catholic Majesty and the United States, do not permit me to entertain the least idea that their Government should directly or indirectly countenance such troubles, but considering that if they were not repressed in their beginning they might occasion consequences fatal to both Governments relying also on the assurances which your Excellency has made me verbally at repeated times I cannot forbear to claim of your good faith that you may be pleased to make use of your authority and write to the Governor Pro tem of the Mississippi Territory and to the Commandant of Point Coupee informing them that for no motive whatever they must suffer nor give refuge to any of the rebels of the Feliciana District, and that you may if necessary admonish and reprimand Reuben Kemper who is in this City, to put a Stop to his incendiary publications and change his conduct, and have him secured in the Jail. Meantime the Governor of West Florida is taking such measures as the Public tranquility requires.¹

May God Grant your Excellency a long life.

(Signed) The Marquis of Casa Calvo
New Orleans Augt. 11th 1804

To the Marquis of Casa Calvo

New Orleans 27th August 1804

Sir,

I avail myself of the first moments of returning Strength to reply to your Excellency's Letter of the 11th Instant which I received during my illness, I regret ex-

¹ Outbreaks caused by the Americans of West Florida in opposition to Spanish rule.

tremely that my late Treatment of Mr. Kemper¹ and the advice he received from me, have not been attended with the Salutary effects which were expected. The Government of the United States devoted to the preservation of social order cannot view without real concern any of her friendly neighbours harrassed by Such dissensions as you complain of, and I therefore presume it is Scarcely necessary for me to repeat to your Excellency that the Insurgents in West Florida have never received any encouragement or countenance in any Shape from the American Government or its Officers. In compliance however with your Excellencys request, I will address Letters to the acting Governor of the Mississippi Territory, and the Commandant at Point Coupee with a view of preventing any aid being given to the Insurrection, from the Territories now in possession of the American Republic.

In consequence of your Suggestions relative to Reuben Kemper, Said to be now in this City, I shall take prompt measures to have him again before me, and investigate his conduct in regard to the Subject of your Letter. With a Sincere wish that West Florida may soon be restored to the blessings of Public tranquility

I have the Honor to be with High respect

your obdt. St.

(Signed) William C. C. Claiborne

His Excellency

The Marquis of Casa Calvo

(Circular)

New Orleans 28th August 1804

Sir,

I am informed by the Mayor of this City that the Supplies of the Market are not Sufficiently plentiful for the

¹ Kemper County, Mississippi, was named in honor of Reuben Kemper. For data see Encyclopedia of Mississippi History, Vol. 1, p. 999.

comfortable Support of the Citizens and others, and that the Scarcity of Meat particularly Beef is observable. Will you give this information to the People of your District, and urge them to send the surplus of their Provisions to New Orleans. Beef, Mutton, Meats of every kind, Poultry and Vegetables would all receive prompt and lucrative sales. The Inhabitants need not apprehend any danger by visiting the City, it is true that diseases prevail and many Strangers Die, but I am assured by the Physicians that the season is not unusually healthy and no contagious Malady exists.

I am &c

(Signed) William C. C. Claiborne

To the Civil Commandants in the Several Districts in
Louisiana

To Cato West

New Orleans August 29th 1805

Sir,

I have the Honor to enclose you an accurate translation of a Letter to me from the Marquis of Casa Calvo upon the subject of the Insurrection in West Florida, together with a copy of my answer thereto. This latter Document will show you my Sentiments on the Occasion, and should they be in Unison with yours of which I entertain no doubt, I am well assured you will direct Such measures as may be necessary to prevent the Citizens of the Mississippi Territory residing near the line from taking any part in the dispute. A Severe attack of the Fever prevented me from making this communication earlier. It has pleased God however to preserve me from the fate of many of my Countrymen, here this Summer, and I hope before long to regain Strength Sufficient for the duties of my Station.

Mrs. Claiborne has been ill for several weeks but her disease assumed on yesterday a favorable aspect and strong hopes (which I pray God may be realized) are now entertained of her recovery. My much esteemed Friend H. B. Trist is no more! He paid the Debt of Nature on this Morning. His disease is said to have been the Yellow Fever, of which eight or ten persons have died within a few days past.

I wish you Health and Happiness

With great Respect

Your obdt. St.

(Signed) William C. C. Claiborne

Cato West Esquire

Acting Governor of the Mississippi Territory

To James Madison.

New Orleans August 30th 1804

Sir,

I have the honor to enclose to you a correspondence relative to the Insurrection at Baton Rouge consisting of a Letter from the Marquis of Casa Calvo to myself with my answer thereto, and Letters of advice to the Secretary of the Mississippi Territory, and the Commandant at Point Coupee. I am happy to inform you from late intelligence that this unpleasant affair is fast approaching to a close.

With great Respect and Esteem Sir

I am your most obdt. Hb. St.

The Honble.

(Signed) William C. C. Claiborne

James Madison

Secty. of State

To Julien Poydrass

New Orleans August 30th 1804

Sir,

It having been represented to me by the Marquis of Casa Calvo that some serious acts of insurrection have been committed in West Florida, by certain armed bodies of Malcontents, permit me to suggest to you the propriety of using all the means in your power to prevent Citizens of your District from aiding the Insurgents.

A severe attack of the prevailing fever in this City, prevented me from making this communication earlier: It has pleased God however to preserve me from the fate of many of my Countrymen here this Summer, and I hope before long to regain strength sufficient for the duties of my station.

I have the Honor to be with

Respect your Obdt. St.

(Signed) William C. C. Claiborne

Julien Poydrass Esqr.

Commandant &c Point Coupee

To James Madison.

New Orleans 30 August 1804

Sir,

In the Commencement of my late illness I received from the Commandant of Natchitoches the Letter No. 1 enclosing a Petition of which No. 2 is a translation and returned the answer No. 3. These Papers would have been forwarded to the Department of State at an earlier period, had not the rapid advance of my indisposition totally prevented me from any kind of business.

I am Sir with Respect and Esteem

Your obdt. St.

(Signed) William C. C. Claiborne

The Honble.

James Madison

Secty. of State

To Albert Gallatin.

New Orleans 31 August 1804

Sir,

Enclosed you will receive an account of my Public expenditures for four months including the present with the Vouchers supporting the same amounting to 1551\$ & 11 Cts.

I have just passed through a violent and dangerous disease and am slowly recovering from its enfeebling effects. My Disease is said to have been the Yellow fever to which many Americans here have fallen Victims and among them my much esteemed friend H. B. Trist. His loss is a Public Misfortune, and will be attended I fear with much private Distress. Mr. Trist was faithful to the Trust reposed in him, and had he lived a few years longer, would have made ample provision for the Amiable family dependent on him. I am fearful he has left them with small resources.

The care of the Public Revenue for the present devolves on Mr. William Brown, and I am persuaded his conduct will evince great judgment, discretion, industry and integrity. I view him as a very promising Young Man.

I am Sir with great

Esteem and Respect

Your obdt. Servt.

(Signed) William C. C. Claiborne

The Honble.

Albert Gallatin

Secty of the Treasury

To James Madison.

New Orleans 1st of September 1804

Sir,

I have this moment received from Captain Turner Commandant at Natchitoches the enclosed Letter from a Mr. Davenport to Doctor Sibley, and hasten to transmit it to you.

This Letter appears in Some degree to confirm the information given by Captain Turner (already forwarded to the Department of State, relative to a Decree of the Spanish Government, encouraging the escape of slaves from the service of their Masters.

With Esteem and Respect

I am Sir your obdt. St.

(Signed) William C. C. Claiborne

The Honble.

James Madison

Secty. of State.

To the Marquis of Casa Calvo.

New Orleans Septmeber 1st. 1804

Sir,

Since the personal conference I had with your Excellency upon the Subject of the alarm existing among the Inhabitants of Louisiana residing on Red River, in consequence of certain reports from Nacogdoches, I have received further advices, by which it would seem that the Commandant at Nacogdoches does actually exhibit a paper which he calls a Royal Decree purporting that a free and friendly assylum shall be afforded in the Dominions of his Catholic Majesty to Such Slave or Slaves as Shall escape from the Territories of any foreign power'' A proceeding of this kind would operate so greatly to the injury of the Citizens of the United States and so illy comports with the friendly understanding

happily subsisting between our two Nations, that I cannot think the paper in question a genuine one. It is my duty however to bring the Subject in the view of your Excellency, and to ask whether there is Such a Decree of his Catholic Majesty in existence as is herein mentioned.

Accept assurances of my great Respect and High Consideration

(Signed) William C. C. Claiborne
The Marquis of Casa Calvo

To James Pitot.

New Orleans Septmeber 1st 1804

Sir,

I have received with great regret your Letter of the 31st Ultimo. The resignation of a capable, honest Vigilant officer I consider as a Public loss which at this particular crisis will be Sensibly felt. Cannot I therefore prevail upon you to retain still longer your present office, at least until the Legislative Council probably will be organized in the course of the ensuing Month shall have made some permanent regulation for the good police of New Orleans, and in those regulations I sincerely hope such provision may be made for the Mayor of the City as will liberally compensate that Officer for the time and the trouble attending the discharge of his duties.

From the consideration above alluded to, I must further decline the acceptance of your resignation and solicit a continuance of your public services.

I pray you to accept my best Wishes and believe me to be

With great Respect & Sincere Esteem

Your obdt. St.

(Signed) William C. C. Claiborne
The Honble.
James Pitot Esq.
Mayor of New Orleans

To James Pitot.

New Orleans 3rd Sept. 1804

To the Mayor and Municipality
Gentlemen,

I have received from the Marquis of Casa Calvo sundry Documents of accounts, purporting to relate to suits adjusted and determined by the late Contador of the Armies of Spain in Louisiana, Mr. Don Juan Ventura Morales, of a nature interesting to the representatives, and Creditors of Colonel Maxent Deceased, also thirty Seven Dollars and five bitts which is stated to be the sum remaining for division among the Creditors of the said Maxent.

I have to request that these Documents be placed among the Archives of the Municipality, subject to the inspection of persons interested and that the money be deposited in the Treasury of the City subject to the disposition of the legal claimants.

I have the Honor to be with great Respect and high consideration

your obdt. St.

(Signed) William C. C. Claiborne

The Honble.
James Pitot Esqr.
Mayor of New Orleans

From the Marquis of Casa Calvo to Gov. Claiborne.

The Justice Thomas Randall has just now violated the Assylum of my House, in the passage of which he has arrested and as —— of his own authority and without giving me the least notice, has taken away Prisoner a

certain Blas Ciergo. I am far from intending to give a shelter to the crime, but much less can I suffer the respect due to me to be assailed with Such an insult and rudeness I therefore have recourse to your Excellency to require the due satisfaction which I wish & expect to receive. Praying God to grant your Excellency a long life

At my House, at one oClock in the afternoon September 2nd 1804.

(Signed) The Marquis of Casa Calvo

His Excellency

The Gov. & Intendant General &c

The Marquis of Casa Calvo.

New Orleans September 4th 1804

Sir,

I have received your Letter of the 2nd Instant, complaining that the Assylum of your House had been violated, and insult and rudeness offered to your person in consequence of the arrest in your passage of a certain Blas Ciergo, by order of Thomas Randall a justice of the peace in and for this City, and requiring of me due satisfaction. To enable me to ascertain the extent of the injury your Excellency has received, it is necessary I should be informed whether or not Blas Ciergo was a Member of your Excellencys Household, and what was the cause of his arrest. If Blas Ciergo is charged with a Breach of the peace, my present impression is, that his seeking an Assylum in the House of your Excellency did not exempt him from the pursuit of the Civil Magistrates.

I will thank your Excellency therefore to furnish me with a more detailed relation of this Transaction, in order

that such measures as the nature of the case shall require may be taken.

Accept assurances of my great Respect and High Consideration.

(Signed) William C. C. Claiborne

His Excellency

The Marquis of Casa Calvo

From the Marquis of Casa Calvo to Gov. Claiborne.

To His Excellency the Governor General and Intendant of this Province

Sir,

I have enquired with great care into the Matter of which you have been pleased to inform me, under date of the 1st Int. relative to the Royal Decree, which the Commandant of Nacogdoches publishes, offering a free asylum to the Slaves who would fly to the Dominions of His Catholic Majesty, and I cannot do less than believe that in this case some mistaken intelligence or some very awkward error must have happened, on the part of that Commandant. To prevent either I have not only written him on the following day, but I have also acquainted the Ministry with that occurrence. As I cannot conceive that the Said Officer may have committed such an absurdity, I have desired him to send me a Copy of the above mentioned Decree, which in my opinion can be no other than the order which Was put in circulation during the last War, whereby his Majesty was pleased to declare that the Negroes who would take refuge in his Dominions would be sold for the benefit of his Treasury, from this your Excellency may infer that such a measure on the part of my Sovereign has not had and cannot have any effect in the actual situation of this Province in consequence of its retrocession. I may therefore assure your

Excellency that you have nothing to apprehend for the Properties and Slaves of this Country, that Spain will respect the privileges and rights of the Inhabitants of Natchitoches from motives of Interest, generosity and national Honor, as well as on account of the good understanding and mutual attention which neighbouring Nations, tied moreover by the sacred obligations of a Treaty owe one another. May God grant your Excellency a long Life.

New Orleans Sept. 5th 1804

(Signed) The Marquis of Casa Calvo

To the Marquis of Casa Calvo.

New Orleans Sept. 5th 1804

Sir,

The Translator for the Government of Louisiana has this day returned to my Office Translations of your Excellencys Letters of the 16th of June and 26th of July. The neglect of this Officer may in some degree be attributed to his indisposition and My own late illness.

I however particularly regret the delay of the Translation of your Letter of the 16th of June because a speedy reply to it which would have been made might have prevented your extraordinary communication of the 26th July, the language of which I conceive highly exceptionable, and the sentiments totally inadmissable. The affair of Villamil has taken a turn which I had not anticipated, and your Excellency has evercised an authority which I cannot approbate much less can I enforce any Decree which you may take upon yourself to render on this or (other) occasion, I know of no Courts in Louisiana but those deriveing their power from the Government of the United States nor can Judicial process issue from any other Authorities.

Having made these general remarks I will proceed to give you a concise statement of the affair of Villamil as it falls within my knowledge, together with the part I have acted;— But I wish it to be understood that this Statement is offered not to Justify my conduct to your Excellency, but solely to place the subject in its true point of view. Shortly after the United States had taken possession of Louisiana, and previous to the time prescribed by Treaty for the evacuation of the province by the Spanish forces Don Juan Ventura Morales late Contador of the Armies and Intendant under the Government of Spain informed me by Letter that there are in the Public Deposit of this City a number of Slaves seized as the Property of Don Pedro Villamil late Steward of the Royal Hospital, of this place in which employment the Superior Tribunal and Royal Audience of Accounts of Havana declared him indebted in the Sum of 9734 \$, for its reimbursement as Villamil not only has not furnished the Security which he had offered, but has also absented himself from the Province and fled from its decisions, his Honor the Auditor of War has advised by his Decree of the 23rd Instant to which I have agreed, that we should proceed to an evaluation of the Slaves by the Intelligent persons named for that purpose, that they should be Sold at Public Auction, and the proceeds paid into the Treasury giving Notice in the Gazette, that the public may be informed of it, with a previous intimation from me by an Official Letter as usual to your Excellency, for your Cooperation as Territorial Judge. In consequence I beg and intreat your Excellency may be pleased to give your consent that such notice may be given in the Moniteur, and the Sale made at my dwelling House, that this business which concerns the Revenue may be finished, with the expedition recommended to me by the Tribunal of Ac-

counts with the further additions of damages and expences which may occur from the delay, I flatter myself your Excellency will have less difficulty in acceding to my request, inasmuch as by so doing, without injuring the rights of your Government, you will give an equivocal proof of your disposition to afford protection to the affairs in which my Sovereign has so great an interest as what I have before mentioned.”

In my reply to the above Letter, the Sale was assented to under an impression that the statement of Mr. Morales was correct; that the decision of the Superior Court of Havana was founded in Justice, and that the sale of the Negroes would tend to promote the Interest of the King of Spain, and to draw to a close the operations of His Catholic Majesty's officers in Louisiana, which were essential to a Speedy and complete evacuation of the Province.

The sale I understood Shortly thereafter took place, and that a Mr. Hulin a Citizen of Louisiana became the purchaser. I do not recollect to have heard any thing further upon the Subject until the receipt of your Excellencys Letter of the 12th of May in which you remarked “I have received a Dispatch from the Royal Tribunal of accounts of Havana to the end of taking cognizance without the interference of Mr. Morales heretofore Intendant of these Provinces of the Collection of the Kings Revenues whereof is Debtor Mr. Peter Villamil receiver of the Royal Hospital of this place, and it being necessary to make some researches for the purpose of verifying certain Judicial proceedings wherein the aforesaid Intendant has gone beyond his faculties inasmuch as he not yet obeyed the orders of the above mentioned Superior Tribunal. I inform your Excellency of this circumstance with a view of obtaining the necessary assistance to enable me to terminate the business as soon as possible, and the permission authorizing Peter Pedesciaux formerly

the Notary of the Government under the Spanish Dominion to act in this instance."

To the above request I acceded from a conviction that the object of the contemplated researches, was an investigation of the Official Conduct of the late Intendant. I deemed it improper to withhold from your Excellency a view of any of the Records of this Province, which might throw light on the Subject, and accordingly in my Letter of the 16th of May you were advised that I had no objection to Mr. Peter Pedesclaux's assisting you in the researches you were charged to make, and taking for your use, Extracts from or copies of Such Judicial proceedings as may be on file in any of the Offices in Louisiana, from subsequent conversations between us, I inferred that in addition to an investigation of the Intendants conduct, your researches in Villamils affair were designed to enable you to aid Villamil in the prosecution of a claim to the Negroes in question before a Competent Tribunal. But I never until this day supposed, that your Excellency would have thought yourself authorized to exercise Judicial powers in Louisiana and to make Decrees which were obligatory. The Letter of the 16th of June was delivered to me on the Same day by Mr. Peter Pedesclaux, who, through an Interpreter informed me that it related to Villamils affair, and was of a nature to require my prompt interference, that you represented the Sale to Hulin as a fraudulent Transaction, and that the Negroes were in fact still the Property of Villamil, Mr. Pedesclaux added, that Hulin was at that time endeavouring to make sale of the Negroes, and that your Excellency solicited me to notify the Notaries Public in this City of the fraud Suggested, in order that no person might purchase the Said Negroes without information of the exception which would be taken to the Titles.

Relying on the accuracy of Mr. Pedesclaux's Statement desirous of preventing any Citizen of Louisiana

from being benefitted by a fraudulent transaction, or imposing upon others, and to manifest at the Same time a respectful attention to your Excellencys representations, I addressed to the Notary Peter Pedesclaux a Note of which the enclosed Marked A is a Copy, intending to reply particularly to your Letter, as soon as a translation was furnished by the Translator for the Government Mr. Derbigny, to whom as is usual the original was immediately transmitted. I refer you to this Letter to the Notary, and on perusing it, you will find no part, that can be construed as Sanctioning any Decree of yours. The Notary is only informed that the Transaction has been represented to me as fraudulent, and to make known the same to all persons who may apply for the drawing or Registering Bills of Sale for the slaves aforesaid with a view, that no person might purchase these Slaves, or any of them without a knowledge of the exceptions which might be taken to the Titles. I know not to what your Excellency alludes when you Speak of a Decree's being rendered by my Court in this affair. No Judgment or Decree has been rendered by me. Suit is commenced by Hulin against Villamil but as it has not come to Trial, I remain uninformed to the merits of the case. The charges contained in your Letter that, "Credit is given to Cabals, and that attention is in preference paid to the ill- grounded pretensions of those who for private purposes are conspiring to defeat the just right of your Sovereign and to usurp audaciously the property of his Subjects" and further that the Subjects of his Catholic Majesty, "are even placed out of the Class of the Citizens of the United States in the common course of Justice" deserve Sir no other notice from me than a declaration that they are as illiberal as they are groundless. And I must pray your Excellency in any future communication you may think proper to make to the Chief Magistrate of Louisiana, to use a language less exceptionable and to

manifest more respect for the integrity and independence of his Character.

Hulin is in the peaceable possession of certain Slaves, and of that possession he cannot be deprived but by the Law of the Land and the agency of the constituted Authorities of Louisiana. If Villamil has a Claim to these Slaves the Courts are open to him and that Justice will be rendered which every Suitor receives in the Judiciary of the United States. If Villamil has in his possession slaves which Hulin claims, he may likewise appeal to those Same Tribunals. The moment a subject of his Catholic Majesty or of any other foreign Power sets his foot on the Territory of Louisiana, he is bound to respect our Laws, and for a Breach of them is held responsible, he is also under the protection of the same Laws, and may appeal to them for a redress of any injury received, it was not necessary therefore to administer to Mr. Jolly or to Hulin the oath of allegiance to the United States – nor has it been done to enable them to apply to the Courts of Louisiana for the maintenance of their rights.

Before I conclude this Communication I must inform your Excellency that the menace in the last sentence of your Letter will not in the least influence my conduct, to your Court Sir I owe no responsibility, I nevertheless should be wanting in duty were I not on all proper occasions to manifest a readiness to Support the Interest of the Ally of the United States, His Catholic Majesty. With respect to your intended representation to the President of the United States, I can only observe that it cannot fail to terminate Honorably to the Officer who discharges the Trust reposed in him with Integrity and firmness.

Accept assurances of my High and Consideration
(Signed) William C. C. Claiborne

His Excellency
The Marquis of Casa Calvo

To the Marquis of Casa Calvo

New Orleans September 6th 1804

Sir,

The receipt of your Excellency's Letter of the 2nd of August would sooner have been acknowledged, had not my late illness prevented me until very lately from attending to any kind of business, The favorable sentiments of the Captain General of Cuba towards the Commerce of the United States, and his determination to protect the same, cannot fail to be satisfactory to the President of the United States to whom I shall transmit your Excellency's Letter.

Accept assurances of my great Respect and high Consideration

(Signed) William C. C. Claiborne

His Excellency

The Marquis of Casa Calvo

To the Marquis of Casa Calvo

New Orleans Sept. 7th 1804

Sir,

Your Excellency's Letter of the 1st and fifth of the present month have been duly received. The claim which Don Fernando Perdomes has against the owner of the Ship Lady Nugent, must be prosecuted in one of the Courts of Louisiana and as the sum claimed falls within the Jurisdiction of the Court of pleas in and for the City of New Orleans, I would recommend that recourse be had to that Tribunal where Justice no doubt will be speedily rendered. I am under obligations to your Excellency for your prompt attention to my Letter of the 1st Instant, and I Sincerely hope that your communication to the

Commandant at Nacogdoches will have happy effects. It affords me great pleasure to learn that in the opinion of your Excellency there is no existing Decree of His Catholic Majesty respecting Slaves which can operate to the Injury of the Citizens of the United States and I persuade myself your view of the Subject will prove to be correct, I nevertheless should Suppose that it would be to the mutual Interest of the United States and Spain to discourage the escape of Slaves from the service of their Masters, by delivering them up to the legal owners

Accept assurances of my great Respect and high Consideration

(Signed) William C. C. Claiborne

His Excellency

The Marquis of Casa Calvo

To James Madison

New Orleans September 8th 1804

Sir,

Enclosed is a Letter to me from the Marquis of Casa Calvo which will shew you the probable disposition of the Governor General of Cuba towards the Commerce of the United States, and the desire he feels to prevent Privateers from making Sale of their Prizes within the Limits of his Government.

I have the pleasure to inform you that the most perfect good order continues to prevail in this City and I believe throughout Louisiana. I have just heard that the Insurrection in West Florida is not yet Quelled, but on the contrary that the number of Malcontents has increased.

I am Sir very Respectfully

Your Hbl. St.

The Honble. (Signed) William C. C. Claiborne
James Madison
Secretary of State

To James Madison

New Orleans Sept. 8th 1804

Sir,

I have the Honor to enclose you a copy of a Letter which I addressed to the Marquis of Casa Calvo, upon the subject of the alarm excited at Natchitoches, in consequence of the reports from Nacogdoches, together with a translation of his answer thereto. I should at an earlier period have addressed the Marquis on this subject but was prevented by my late illness.

The Mail due from the Northward on yesterday has not arrived. The irregularities in the Post is much complained of, but I presume it principally arises from the difficulties of the Wilderness road, between the Mississippi Territory and Tennessee. The Rider is frequently delayed by indisposition, High Water or the loss of his Horse, and until the road can be settled, these inconveniences cannot be guarded against. A fever greatly resembling the yellow Fever continues to prevail in this City, and proves particularly fatal to Strangers. The Troops are removed into the Country and many Americans have left the City.

I am Sir with Respect and Esteem your

Hble. St.

The Honble. (Signed) William C. C. Claiborne
James Madison
Secty. of State

To the Marquis of Casa Calvo

New Orleans Sept. 10th 1804

Sir,

Your Letter of the 6th of June was duly received. But my own late illness, the general indisposition of my family, and an unusual Press of business which required

immediate Despatch has hitherto delayed my answer. I pray you to be assured of the respectful attention, with which I invariably read your Excellencys communications, But I must confess that your reasoning in the case of Don Joseph De Orne and Mrs. Castillon has not changed the opinion I declared in my Letter of the 5th or June.

In my Judicial Character I hold it improper to discuss with your Excellency the extent of my Powers or the propriety of my conduct; for the one I shall consult the Law and draw my conclusions; for the other I shall appeal to my own Judgment, and Sense of right. It is however incumbent on me to remark that in no instance have I permitted a case to be brought to Trial in my Court, which had heretofore been adjudged concluded and fully acted upon under the Government of Spain. Was this admitted of, I am well aware of the confusion which would arise and the general injury to the Inhabitants which might ensue. On this ground therefore, your Excellencys Solicitude, for the security of the Property of the Louisianians may cease, and I pray you to believe that under the American Government that Security will never be endangered. In cases where Judgment have been rendered by the Spanish Authorities (but owing to the change of Dominion or any other cause) their execution has been delayed I have refused to carry the same into effect, until the former Judgment was confirmed by one of the present Tribunals of Louisiana. I consider the case of Joseph De orne and Madam Castillon as being in this situation and consequently in my Letter of the 5th June I informed your Excellency "that by Virtue &c (See the Journal of that Date).

The Sovereignty of Spain over Louisiana has ceased, and that of the United States is complete and operative; The Decrees therefore of no Tribunals (remaining to be executed) can have legal force against an Inhabitant of

this Province, but those deriving their Authority from the Sovereign Power.

I have every disposition to promote the Interest of His Catholic, and such of his Subjects as may have their affairs in Louisiana unsettled; But on no occasion can I exceed my powers or infringe the rights of a Citizen. To the Courts now established and to be established in this Territory, on the first of October next Don Joseph De Orne may have recourse, for the recovery of his demand against Mrs. Castillon. On the Trial of the cause, the Decree of the Spanish Tribunal may be given in evidence, and it will no doubt have all that influence and weight which the Law and custom of Nations attach to foreign Judgments.

Accept assurances of my very Respectful Consideration.

(Signed) William C. C. Claiborne

His Excellency

The Marquir of Casa Calvo

To the Marquis of Casa Calvo.

New Orleans Sept 13th 1804

Sir,

Your Letter of this day I have had the Honor to receive. The conduct of the Insurgents who have so seriously disturbed the Tranquility of West Florida I highly reprobate; but I do not feel that my Authority permits me to direct or allow the seizure of their persons within the Limits of the United States. I shall nevertheless loose no time in communicating your Excellencys Letter to the President of the United States and await his instructions.

As to the request contained in the Latter part of your

Excellencys Letter I shall write to the Acting Governor of the Mississippi Territory, who will I have no doubt take such measures as his powers and duties permit and enjoin.

Accept assurances of my Respectful consideration

(Signed) William C. C. Claiborne

His Excellency

The Marquis of Casa Calvo

The following is a Letter from the Marquis of Casa Calvo to which the preceding oen is the answer.

From the Marquis of Casa Calvo to Gov. Claiborne.

Sir,

Under date of the 28th of August last Colonel Don Carlos De Grand Pre Governor of Baton Rouge informs me of the result of the Expedition directed against the Insurgents of Feliciana, a complete Success could not be obtained, as expected in apprehending the Brothers Kemper and their followers who had before hand crossed the line which divides the Territory of his Catholic Majesty from that of the United States. Being informed that the greatest number of them has retreated to Pinckneyville,¹ I cannot do less than require that your Excellency may give orders to deliver up the bodies of the Brothers Kempers Abraham Barril, a certain Billy and his Brothers sons of Arthur Cobb, in case they should have taken refuge in those quarters, It being very convenient for the preservation of Public Safety in our respective Territories. The Crime of Treason is really so Safety become the enemies of all mankind, I am therefore

¹ A town near the boundary in Mississippi Territory. The letter book of Gov. Robert Williams of that Territory contains valuable material on the Kemper affair.

atrocious that those who commit it, violating the Public induced to hope that your Excellency will agree to my proposal, but should powerful reasons prevent it I expect you will be pleased to give the most efficacious orders that the Rebels may remove to such a distance from the Frontiers that nothing may be apprehended from their incursions, intrigues and the Incendiary writings with which they endeavour to disquiet the minds of the Inhabitants.

May God Grant your Excellency a long Life.

New Orleans Sept. 13th 1804

(Signed) The Marquis of Casa Calvo

To His Excellency

The Governor & Intendant General of Louisiana

An Ordinance providing for the appointment of a Person to take charge of Estates belonging to certain persons dying Intestate in the City of New Orleans.

By William Charles Cole Claiborne Governor of the Mississippi Territory exercising the Powers of Governor General and Intendant of the Province of Louisiana—

Be it ordained, that their shall be appointed a Proper person to take charge of the Estates of such intestates as are herein after described, which person so to be appointed shall immediately give notice of his appointment in all the Public News-Papers Printed in the City of New Orleans, and shall before he enters upon the duties of his Office give bond in the sum of Ten thousand Dollars, with two or more sufficient Securities to the Satisfaction of the Governor conditioned for the Duties prescribed by this Ordinance and shall also take an oath of Office.

And be it further ordained that whenever any person who shall not have resided in in this City for more than two years shall die Intestate, without leaving a Father

Mother, Huband or Wife, a Child Brother or Sister of full age Resident in the City aforesaid all the goods and Chattels, Rights and Credits of such person shall immediately after his or her Death be vested in, and shall be taken possession of by the Officer to be appointed by virtue of the first Section of this Ordinance, in trust to preserve, safely keep and deliver the same to such person as shall obtain Letters of Administration on the Estate of such intestate, and that it shall be the duty of such Officer as soon as any such Intestate shall die in the said City or its Jurisdiction to take possession of all the personal property whatever whereof he or she may die possessed and make Inventory and estimation of the value thereof in the presence of two credible Witnesses, the estimation to be asserted to by the Witnesses, one copy whereof shall within fifteen days after the Death of such intestate be deposited with the Clerk of the Highest Court of Judicature in the Province and another delivered to the Administrator when he shall be legally appointed.

And be it further ordained that the said Officer shall pay (if the Property of the Deceased be sufficient) all the funeral charges of the Intestate, his Physicians Bill, and all other expences which may have been incurred during the Intestates last illness, and for that purpose may sell and disposes of so much of the said Property, as may be necessary to pay the same, and the said Officer shall receive a Commission of five Per Cent on the value of all the Property which shall come to his hands by Virtue hereof to be applied to his own use as a compensation for his care and attention, in collecting preserving and delivering over the said Property.

And be is further ordained that the said Officer shall and may dispose of any perishable Articles belonging to the Estate and sue for any Such Debts, or for the recovery of an such property belonging thereto as there

may be danger of losing by delay. And that in all suits so to be brought he shall style himself special administrator of the Deceased, and that such suit shall not abate by the granting of Letters of Administration but shall be prosecuted to Judgment by the special administrator, he retaining a sufficient sum to answer the expences of the suit, and, and the proceeds paid over as this ordinance directs with respect to the other property of the Deceased. And that within thirty days after the granting of Letters of Administration the special administrator shall pay and deliver over to the Administration, or the Executor in case a will be discovered before the granting letters of administration, all the money goods chattels & Rights which shall have come to his hands together with the Inventory of the same, and a true account of his Receipts and expenditures, and that whenever Letters of Administration or Letters Testamentary are granted the same shall relate to the time of the Death of the Testator except as to acts lawfully done by the special Administrator, by virtue of this ordinance which shall in no sort be invalidated thereby.

And be it further ordained that every person at whose House such Intestate shall die, shall within Twenty four Hours after his or her Death give notice thereof either verbally or in writing to the special Administrator to be appointed by virtue of this ordinance and shall deliver over to him on demand all the property in his or her possession of which the said Intestate died possessed, and every person neglecting to give such notice or deliver such property shall forfeit for the use of the City fifty Dollars for every such neglect, and shall moreover forfeit double the value of the property so refused to be delivered, to be sued for and recovered by said Special Administrator for the benefit of the Heirs of the said Intestate. Provided nothing herein contained shall be construed as applying to persons Dying in the Army or Navy

of the United States, and provided also that in all cases where Property has been consigned to any person engaged in Commerce in this City by the Person dying Intestate, then the person engaged in the Commerce as aforesaid shall hold such consignments and shall duly account for the same.

Given under my hand and the seal of the Administration at the City of New Orleans the Seventh day of September 1804 and in the twenty ninth year of the Independence of the United States of America

Seal

William C. C. Claiborne

To the Marquis of Casa Calvo.

New Orleans September 16th 1804

Sir,

I have received information that a Mulatto Man in the service of your Excellency has committed an outrage against the peace of our society and the Laws of Louisiana, I request therefore that your Excellency will (cause) the Said Mulatto Man to be delivered to Captain Davis who has my authority to convey him to Jail, where he will remain until the nature of his offence shall be duly enquired into, and which enquiry shall speedily be ordered. Captain Davis can designate the Mulatto who committed the outrage.

Accept assurances of my respectful Consideration

(Signed) William C. C. Claiborne

His Excellency

The Marquis of Casa Calvo

Circulaire

New Orleans Sept. 16th 1804

Sir,

On the first day of October the Act of Congress "erecting Louisiana into two Territories and providing for the Temporary Government thereof" will be in force;

but I deem it proper to inform you that your Powers as Civil Commandant, will not, at that time cease. You will therefore exercise the Authority with which by Law, you are now invested until some provision upon the subject shall be made by the legislative body to be created by the act aforesaid, and of which you will be duly notified. It is expected that as heretofore you will communicate to the Governor all the occurrences of importance in your District, and in cases of difficulty consult his opinion and await his advice.

I take this opportunity to thank you for the zeal and fidelity with which you have discharged the duties of your Office; and to request that with the same motive of regard for the Public good which has hitherto guided your conduct, you will continue to administer Justice in mercy, and to maintain that harmony security and good order So essential to the happiness of our fellow Citizens.

Accept assurances of my respect and Esteem

Signed, William C. C. Claiborne
To the Civil Commandants in Lower Louisiana

To James Madison.

New Orleans September 17th 1804

Sir,

Enclosed is a Copy of a Circular Letter I have addressed to the Civil Commandants in Lower Louisiana.

I am not certain the act of Congress does on the first of October virtually withdraw all the Judicial Powers from the Authority now existing in this Province. But in order to prevent the scenes of Anarchy and Confusion which might arise in the different Districts, if no person took upon himself to preserve the Public peace, until the Legislative Council had made provision, I thought it a

wise and prudent step to advise the Commandants to continue in the exercise of their present functions. The Malignant fever in this City does no seem to abate. My private Secretary Mr. Briggs died on yesterday. He was an amiable Young Man, and his Talents and Industry greatly recommended him to my confidence and esteem

I am Sir with Esteem and Respect

Your obdt. St.

(Signed) William C. C. Claiborne

The Honble.

James Madison

Secretary of State

Militia General orders.

Head Quarters, New Orleans Sept. 20th 1804

The Commander in chief returns his sincere thanks to Colonel Commandant Bellechasse, for his active and able assistance in organizing the Militia for the City of New Orleans. Colonel Bellechasse has on all occasions manifested a zeal for the good of the service worthy a Patriot, a promptitude and ability in the execution of orders Honorable to the Soldier, and has presented to his Subaltern Officers an example which cannot fail to excite among them a laudable spirit of emulation.

To James Madison.

New Orleans Sept. 20th 1804

Sir,

I enclose you a Petition addressed to me, and signed by a number of respectable Inhabitants of this City. You will discover there is Some apprehension of an in-

surrection among the Negroes and that much alarm exists, altho I am not myself of opinion that we are in as imminent danger, as the Memorialists seem to think, I have nevertheless taken every means of precaution in my power. The Patroles at night have been strengthened and are well armed. The Orleans Battalion Of Volunteers and the City Grenadiers are furnished with Public Muskets and Ammunition, ordered to lay upon their arms, and be ready for Action at a moments warning. The City Militia in case of alarm either by day or night are also directed to rendezvous in Front of the Government House and await my orders; The Guard of Regular Troops now in this City are furnished with twenty four rounds of Cartridge, and their pieces are kept constantly charged, and that part of the Army which is now encamped a few Miles from the City is placed in a Situation to move the instant the occasion may require.

I again repeat, I do not myself think there is good cause for the alarm; but if danger should arise I am prepared to meet it, and I pledge myself for the security of the Lives and property of my fellow Citizens.

I am Sir with great Respect

Your most obdt. St.

(Signed) William C. C. Claiborne

The Honble.
James Madison
Secty. of State

To James Madison.

New Orleans Sept. 21st 1804

Sir,

From the great havoc which the diseases of this Climate have recently made among Strangers, and the frequent Embezzlement of the Property of Deceased Per-

sons by unprincipled men, I have been induced to make special provision for the care of the Estates of certain intestates. A copy of my ordinance on this Subject is enclosed and I hope it will meet the approbation of the President.

The Young Gentlemen attached to my office continue indisposed.

I am Sir very Respectfully

Your Hble. St.

(Signed) William C. C. Claiborne

The Honble.
James Madison
Secty. of State

General Orders

Head Quarters—

New Orleans Sept. 22nd 1804

Captain Morgan of the Orleans Troop of Cavalry will detail for duty on tomorrow and on each Succeeding Sunday, a non-Commissioned Officer and six privates. It will be the duty of this detachment to aid the Civil Authority in the preservation of good order; to disperse any unusual gathering of Slaves, and to arrest and carry before some Civil Magistrate any person or persons who shall violate the Public peace.

The Detachment will rendezvous in front of the Government House at the Hour of nine in the forenoon and continue on duty until 6 oClock in the Evening. The Streets of the City and Suburbs particularly the Levee are to be carefully attended to and it will be the duty of the Detachment to reconnoitre the Bayou Road as far as the Bridge.

The Non-Commissioned Officer may divide his command in such manner as he shall Judge proper, and it is

expected that such rest and food will be given to the Horses as the nature of the nature of the service may require.

The detachment will be dismissed in front of the Government House.

By Order of His Excellency the
Governor and Commander in chief
J. Faurie Aid Du Camp

To James Madison

Sir,

New Orleans 23rd Sept. 1804

I enclose for your perusal a late Letter to me from the Marquis of Casa Calvo, relative to the Insurrection in West Florida, together with a copy of my answer thereto.

The Marquis has considerable influence among the old Inhabitants of this Province, and being on that account particularly desirous that a friendly understanding between us should exist, I have hitherto paid great attention as well to his person as to his communications. But finding of late that he is becoming troublesome I shall probably in a Short time refuse to hold any official correspondence with him, until he shall have been acknowledged by the President of the United States as a Public agent on the part of Spain. Morales and many other Officers of Spain both Civil and Military are Still in this City, and two large rooms in the Public Storehouses and Artillery Yard continue in possession of the Spanish Authorities or rather Serve as a Deposit for their Military Stores.

I am Sir with great Esteem and Respect

Your obdt. Hble. St.

The Honble. (Signed) William C. C. Claiborne
James Madison
Secretary of State

To Henry Dearborn

Sir,

New Orleans September 24th 1804

I have this day Drawn upon you in favor (of) William Brown Deputy Collector for the Sum of eight hundred Dollars on account of my extra compensation as Governor &c of Louisiana payable at Six days Sight.

I am Sir very respectfully

Your Hble. St.

The Honble. (Signed) William C. C. Claiborne
Henry Dearborn
Secretary of War

To James Madison

Sir,

New Orleans September 25th 1804

I enclose you a communication which I have this day received from the Commandant of the District of Natchitoches. I fear Some of the Indian Tribes West of the Mississippi are disposed to be troublesome, and if as is Stated they are encouraged by the Spaniards to War against the United States there is no doubt but the lives and property of the Citizens on our extreme Frontiers will be somewhat insecure. I shall on this occasion give to Captain Turner such instructions as prudence shall dictate, and will advise you further hereafter; at present my mind is wholly occupied with my domestic misfortunes;— Mrs. Claiborne and my only child are so ill as to leave little ground to hope for their recovery.¹

I am Sir with great Respect and

Esteem your obdt. Hble. St.

The Honble. (Signed) William C. C. Claiborne
James Madison
Secty. of State

¹ Mrs. Claiborne and her infant child died on the next day.

To Edward D. Turner

New Orleans September 28th 1804

Sir,

Your communication of the 10th instant with its enclosure was duly received. An Indian War would be peculiarly embarrassing to our Frontier Settlers, and would be attended with injury and expense to the United States. To avoid it therefore every prudent measure should be resorted to, and the present threatening prospect, should Stimulate you the more to treat with every mark of friendly attention such Indians as may visit the Post of Natchitoches. I know you are not authorised to distribute present, nor is it in my power to vest you with this authority. But you are at liberty to Supply the Indians visiting your Post with Rations, and while personally you extend to them acts (of) kindness, you can induce the Citizens generally to follow your Example and punish those who should offer an unoffending Indian any injury.

How far the Spaniards may encourage to Hostilities, time will evince. But my impression is that Secretly they will offer the United States all the injury in their Power;— it may be Serviceable therefore to watch their movements, and penetrate into their Intrigues; I accordingly approve of your Sending a confidential person to the proposed conference on the Sabine. If you cannot rely with Some degree of certainty on the fidelity of the Indian you have named, I pray you to engage another confidential agent, and I will make him for the Service such compensation as you shall Stipulate.

I authorize you to employ an express when in your opinion, the importance of the information to be communicated may Justify the expense;— But you will See

the necessity of exercising on occasions of this kind a *sound discretion, and prudent economy.*

I am Sir very respectfully

Your Hble. St.

(Signed) William C. C. Claiborne

Captain Edward Turner

Commanding at Natchitoches

To Edward D. Turner

New Orleans September 29th 1804

Sir,

Your favor of the 18th instant is now before me. I regret that after all the trouble and expense to which Madam Pantalion has exposed herself, it is impossible to decide on her Petition agreeably to her wishes. It would be in some measure an *ex parte* decision, by which the Creditors of her late Husband might be materially injured. There exists no Marriage Contract between Madam Pantalion and the Deceased;— Her claim therefore must rest on such grounds, as the creditors may possibly not admit to be conclusive, and it is therefore just they should have an opportunity to contest the claim. Under existing circumstances therefore, the case must be left for the decision of the Courts about to be established under the new order of things.

I am Sir very Respectfully

Your Hble. St.

(Signed) William C. C. Claiborne

Captain Edward Turner

Commandant &c

New Orleans October 1st. 1804

Dear Sir,

Mr. Derbigny will deliver to you a little (box) containing a Model of a Cotten machine upon a new and improved Plan, and for which Mr. Obadiah Crawford, a Citizen of the Mississippi Territory Solicits a Patent as the Inventor.

If Mr. Crawfords invention should be deem'd worthy of the encouragement he asks, I will esteem it a favor if you will enclose the Patent to me; Mr. Derbigny will pay the expense attending the Patent.

I am not personally acquainted with Mr. Crawford; but he is represented to me as a Young Man of great Mechanical genius, and an industrious worthy Member of Society.

Accept assurances of my great Respect and Sincere Esteem

(Signed) William C. C. Claiborne

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To James Madison

New Orleans October 1st. 1804

Dear Sir,

I have the Honor to introduce to your acquaintance Messrs. Derbigny Sauve and Detrahan, and to request that you would be so obliging as to present them to the President. These Gentlemen have been Selected by many of their fellow Citizens to bear a Memorial to Congress, which treats upon Subjects interesting to Louisiana, and to make Such explanations as may be desired.

Permit me to add that Messrs Derbigny Sauve and

detrahan, are ancient Inhabitants of Louisiana, and highly respectable in private life.

I am D Sir

Your Sincere friend

The Honble. (Signed) William C. C. Claiborne
James Madison
Secty. of State

Thus ends the Proceedings of the Temporary Government of Louisiana.

To James Madison

New Orleans,
October 3d. 1804

Sir,

Your letter of the 30th August enclosing me a Commission as Governor of the "Territory of Orleans," was duly received.

Will you be pleased to communicate to the President how sensible I am of the honor conferred upon me, and how solicitous I shall be to merit by my conduct a continuance of his Confidence.

On this morning the Oaths of Office was administered to me, by Mr. Pitot Mayor of this City, and a Copy of a short Address which I made on the occasion is herewith enclosed.

I shall in the course of four or five days issue a Proclamation convening the Legislative Council, and will do every thing in my power to organize the Government with Dispatch.

Neither of the Judges have yet arrived: Colo. Kirbey I learn has been ill at Fort Stoddert, but is now on the recovery; Mr. Brown the Secretary it at Natchez and does not propose adventuring into New Orleans, until about the close of this Month; I think this a wise precau-

tion, for the City is not yet free from that dreadful Scourge, the Yellow fever.

Accept assurances of my great respect and sincere esteem.

William C. C. Claiborne

The Honorable
James Madison
Secretary of State.

To James Madison

New Orleans Oct. 28th 1804

Sir,

On yesterday I was informed by a Mr. Dubourg, a respectable Merchant of this City, that a Capt of his with 40 Negroes on board had entered the Mississippi, Since the 1st of October; that these Negroes belonged to his Father Yanothn Inhabitant of Louisiana; that owing to contrary winds & bad weather the vessel was prevented entering the Mississippi until Subsequent to the 1st October.

Mr. Dubourg prayed that the Negroes might be permitted to land, & pledged himself, that they should be forthcoming on the arrival of the Judges in the Territory & that he would await a Judicial decision.

I did not well know how to act on the occasion; It would seem as if it was more particularly the duty of the District attorney to notice & bring before the Court, persons who had violated the law;— But as neither of the Judges or the attorney General have arrived I esteemed it my province to take measures to enforce the observance of the Law;— But on the present occasion, as the Importer was himself the informer, I permitted him to land the Negroes upon giving me an oath their names, & number, & satisfactory assurances, that they should be forthcoming on the arrival of the Judges.

Mr. Dubourg showed a permission which he had procured from the Spanish Governor (Grand Pré,) to intro-

duce into the Settlement of Baton Rouge, Sixty Negroes, & intimated an intention to avail himself of said permission.— If Negroe Vessels are permitted to pass up to Baton Rouge, the law prohibiting the African Trade in this Territory will in effect be a nullity, & I pray your Instructions whether or not I am to oppose their Passage.

I have understood that several African vessels were sent out in time to return previous to the 1st of October, but from some cause, they have not arrived yet, & their delay is a source of anxiety to the persons concerned!—

I am Sir,

Very Respectfully

Your mo. Obt. Servt.

The Honorable
James Madison
Secretary of State

William C. C. Claiborne

To James Madison

New Orleans,

October 5th 1804

Sir,

Your Letter dated “Virginia August 28.,” reached me on the evening of the third instant.

A number of Spanish Officers are yet in Louisiana, and there is no doubt with me, but they encourage the Discontents which arise here.— I shall take an early opportunity to intimate to the Marquis of Cassa Calvo, that the continuance of these Officers in our Territory, “So much beyond the right and the occasion for it, is not seen with approbation,” and with respect to Mr. Morales, I shall (without reserve) express my desire for his speedy departure.—

I paid a visit to the Marquis on yesterday, and informed him that for the accommodation of the people of *West Florida*, I had no objection to authorize some dis-

creet Inhabitant of that District to receive, open and close the Mail of the United States; The Marquis seemed pleased with the proposition and approved highly of a Colonel Fulton near Batton Rouge, who I named, as a proper person.- I am myself of opinion, that one Post Office on the Mail Route passing through West Florida is sufficient, nor do I think it safe at this time, to multiply the establishments in that quarter.

I very much regret the late news from Madrid; I had sincerely hoped that the President would have completed his Negotiations with Spain, in a manner consonant to his fondest wishes, and that the good Understanding between the two Nations would not for a moment been disturbed.- But if Spain should prove unaccommodating, perhaps a little time will occasion reflection and make her prudent; but should she be disposed to be unjust, the United States can readily maintain their Rights; and if (which God forbid) a war should ultimately ensue, perhaps there is no Nation upon Earth, on whom we could so promptly and easily make a sensible impression and command an advantageous Peace.

I recently received Dispatches from Natchitoches; they announce that three Citizens of the United States, had been killed (supposed by Indians) in the vicinity of the Sabine River.-

A small Tribe of Indians living in the District of Ouachitas, having solicited of me a Flag of the United States, I have procured a common one made of Buntin, and shall present it to them.-

I am Sir,

very respectfully

Your humble servant,

William C. C. Claiborne

The Honorable
James Maddison,
Secretary of State.

To James Madison

New Orleans October 8th 1804

Sir;

I have by Letter advised each member of the Legislative council of his appointment, and request his acceptance:— two *answers* have been returned; the one from Doctor Watkins; the other from Mr. Jones, & both of *which* are herein enclosed. Doctor Watkins accepts, and will make a valuable member;— But Mr. Jones declines, and the Reasons which influence him, will, I fear operate with all those named for the Council, who had signed the Memorial to Congress: Mr. Ed. Livingston has found that their acceptance would betray a *Dishonorable Inconsistency*, and the opinions of those who advised and wrote the Memorial, cannot fail to make an Impression.— I shall however by Proclamation, call a meeting of the Council on the 12th of next month;— The Interest of the Territory requires an early session of the Legislature, and I sincerely hope a majority of the Members appointed will act; But should it so happen, that the signers to the Memorial (eight of the council) should withhold their services, I shall regret the circumstance, and console myself with the reflection, that I have done my duty.

I am persuaded Sir, that a few designing Men may easily acquire a mischievous influence in Louisiana, & I so fear that sooner or later, this District will give Inquietude to the local Magistrates, and prove a source of some trouble to the Executive of the United States.

I am Sir,

With respect and Esteem

Your hbl. svt.

William C. C. Claiborne

The Honble.

James Madison

Secy of State.

From Evan Jones

New Orleans 8th Oct. 1804

Sir,

I just receive within this hour the letter you did me the honor to write me on the 5th Instant, from which I learn, that the President of the United States, has been pleased to appoint me a member of the Legislative Council for the Territory of Orleans; and that my Commission is in your hands, &c.

As I have not the honor of being personally known to the President, I cannot well imagine to whom I am indebted for the favorable idea that somebody must surely have given him of me! Such a mark of his good opinion is extremely flattering to me; and under other circumstances, might be extremely acceptable; but, in my present situation, I do not feel myself at liberty to accept of the appointment.

Conjointly with almost all the Inhabitants of Louisiana, I have signed a Memorial to Congress, respectfully remonstrating against the Act made for our government; and humbly praying for a repeal thereof.

I cannot therefore, with any Degree of consistency, accept of an office, under a law, of which I have from the beginning so openly exprest my Disapprobation; and which, for the happiness of my fellow Citizens, and, (forgive me if I add) for the honor of my native Country, I so ardently wish to see annulled!

When calm reflection shall have taken the place of passion and of party spirit, I flatter myself that my conduct on the present occasion will be approved.

I was born an American— I glory in that name— In defence of that happy land which gave me birth; my life and my fortune shall always be staked; but, I cannot consent, for any consideration, to do an act, which I

think subversive of the rights and liberties of my fellow Citizens!

With great respect I have the honor to be

Sir

Your Excellency's

Most obedient and

Most humbl Servt.

Evan Jones

His Excellency

Governor Claiborne.

From John Watkins

New Orleans, October 8, 1804

Sir

I had the honor to receive your letter of the 5 instant forming me that the President of the United States had been pleased to appoint me a member of the Legislative Council for the Territory of Orleans.

I cannot conceal from your Excellency that I feel highly flattered with this mark of confidence on the part of my Government and can assure you that no exertions on my part shall be wanting to discharge the duties of the office to the best of my abilities so long as I may remain in the Council. It is a duty however which I owe to myself and to my family to observe to your Excellency that in case it should be found that the office of Counsellor is incompatible with that of Physician to the Port, or that by holding the former I must of necessity resign the latter, in that event I say I wish it to be understood that I cannot consent to become a member of the Legislative Council. The acquaintance which your Exclty. has with my pecuniary affairs and my family will enable you to give a just and proper estimation to this determination.

I have the honor to be with sentiments of the high-

est respect and consideration your obe. and very humble servant

Jno. Watkins.

His Excellency

W. C. C. Claiborne

Gov. of the Territory of Orleans.

To James Madison

New Orleans Oct. 16th 1804

Sir,

I return'd to this City on this morning, and find my Health much benefited from my late, tho short, Excursion into the Country.— The Sugar crops are very promising and the Labour of the planter will be rewarded abundantly.— The Citizens, whom I visited, appeared to enjoy Health and Contentment, and I was well pleas'd with their friendly Hospitality.— I also observ'd with pleasure, the Humanity of several Planters, who, by detaining at their Houses, some Americans destin'd for this City, have probably rescued them from sudden Death!—

The fever still exists, but it has greatly abated, and I trust will, in a few days entirely disappear.—

The enclos'd political Pamphlet, is circulating in this Territory; it is written with Ingenuity, and is, certainly well calculated to encrease the existing Discontents.— that a part of the statements in this Pamphlet are true, I will readily admit; but on some occasions, the writer has manifested an Ignorance of facts, or a great want of Candour.—

The writer is not correct in stating, that native Americans enjoy'd all the lucrative Employments under my late administration; I at present, recollect but six Offices of that Description.— M. Derbegney, (late Interpreter of the Government) was appointed Clerk to the Court of

pleas; Mr. Lewis Kerr, Sheriff for the City, and two ancient, and two modern Louisianians, Notaries public; but with respect to Offices of Honor and Trust not lucrative, the ancient Louisianians have enjoy'd a very great proportion; I do not believe that a single modern Louisianian (except those of the volunteer Corps) holds an Appointment in the Militia; and among the officers of the volunteer Corps, there are several ancient Louisianians, and one of them is the Major commanding.—

The Mayor of the City, and a Majority of the municipality, are ancient Louisianians, and all the members, (except one) speak French correctly.— an equal number of the Court of pleas, are ancient Louisianians, and every member (except one) is suppos'd to be well vers'd in the French Language.— the national Language of the Clerk of that Court, is French, and I believe his precepts, were generally issued in his native Language.

Among the various District Commandants I at present recollect but three native Americans, and I may add, that two of four Aids in Camp, who, in my Character as Commander in chief of the Militia, I have appointed, are ancient Louisianians.—

I could make further details on this Subject, but I deem it unnecessary.— If I have discover'd partiality in appointing to Office, it has been in favor of the ancient Louisianians, and I believe candid men will acknowledge the fact.—

But the writer has taken great Exception to the formation of the Volunteer Corps; perhaps it may not be unnecessary to make one or two observations upon that subject.— previous to my arrival in New Orleans, the Citizens of the United States, residing in the City, associated for the purpose of assisting in the preservation of order, had offer'd their services as a Volunteer Corps,

to Mr. Laussat, and which he readily accepted: when the Flag of their Country was unful'd, and Louisiana declar'd a part of the United States, their services, (as might have been expected) were again offered, and that Governor, who had rejected the patriotic offer, would have acted unworthily.— several Companies were form'd, and I have understood, that some of the ancient Militia were enroll'd in the new Corps: but the Command of the Battalion, was given by me, to an ancient Louisianian.— Did this evidence an improper partiality for native Americans?

There were then also existing Circumstances, which highly evinc'd the Expediency of organising the Volunteer Corps: but it is not necessary to state them.— I recollect with pleasure, that on this Occasion, my Conduct have been approv'd by the Executive.—

With regard to the Body of the Militia, their organisation was delay'd by imperious circumstances: it however is now nearly completed, and I owe to Col. Belchasse, (the Officer commanding) many obligations for his able assistance in this troublesome undertaking.— As to the Flag presented to the Volunteers, if it excited the jealousy of the old Corps, I presume that feeling has ceas'd; for on the 4th of July last to the City Regiment, was presented a very beautiful Pavilion, dissimilar from the first, only by it's motto; that of the one, being the "Orleans Volunteers;" and of the other, "Orleans Militia." I am charged with making unfortunate Innovations on the Spanish System of Jurisprudence, and with much of the Confusion which ensued.— On my arrival in Louisiana I found a disorganis'd Government, and a dissatisfied People.— The colonial prefect, had abolished, (with the Exception of the District Commandancies) all the former Spanish Tribunals.— In lieu of the Cabildo, I found a Municipality, organis'd upon French principles, but compos'd of the most respectable Citizens of

the province.— the seals were put upon the different judicial officers, and no regular Judiciary in Existence.—

Had the *prefect* organis'd Tribunals of Justice, the Writer of the pamphlet, would have been furnish'd with additional Ground, to eulogize *his Talents*; but if this had been done, perhaps the organization would have been upon French principles, and that, like the Municipality, the Tribunals would not have known the Extent of their powers.— But the formation of a Court System devolv'd upon the American administration.— the necessity for the Establishment, was obvious, and the Clamours of the people, would not permit me to delay my Measures.—

To have reviv'd the Spanish Tribunals, in their full extent, was impossible; to have done so, in a partial manner, it, would have been necessary to have abolish'd the Municipality, and reinstated the *Cabildo*; for between that Body, and the Judiciary, there was an intimate Connection; they elected annually, two persons, as first and second Alcades for the City, and these judicial officers, were ex-officio, members of the *Cabildo*, and, in the absence of the Governor, presided at its Meetings.—

The Destruction of the Municipality, would have given umbrage to many of the Louisianians; it wou'd, no doubt, have been gratifying to the Spanish Commissioners, and their Friends; but wou'd certainly, have mortified the Colonial prefect and all those who approv'd his measures; and here let me add, that at the moment of taking possession of this province, the friendly Disposition of the prefect, was suppos'd to be of Importance to the Interest of my Country.

I determin'd therefore to recognize the authorities and Laws, as I found them, and to make such further arrangements for the good of the province, as might hereafter suggest themselves to my own Mind, or might

be suggested by others, and which my Judg'ment shou'd approve.—

The treaty had destin'd Louisiana, at some future period, to be incorporated into the Union, and in the mean time the Inhabitants were to be secur'd in their Liberty, property and Religion.—

This Clause of the Treaty, render'd great Innovations, upon the Spanish Laws and Spanish Tribunals, absolutely necessary.— The criminal System of Jurisprudence cou'd not be preserv'd, for the Liberty of the Citizen, was not secur'd thereby: nor did I suppose, in the Civil Courts, there was as great security, for personal property, as I cou'd wish.—

The better therefore, to comply with the Treaty, I determin'd to organise an inferior Court in the City of New Orleans, upon principles, congenial to the wishes and Interest of the people, and somewhat similar to the Tribunals of the United States.

My ordinances, however, upon that Subject, was not hastily adopted; the first Draft was submitted to the Consideration of the Municipality: they propos'd several amendments, which were adopted, and the Ordinance, finally, passed in a Shape, which receiv'd, (as I understood) their entire approbation.— The Municipality was also requested, to give me the names of such Citizens as were best calculated to act as Judges of the City Court; they recommended several Gentlemen and all were commission'd; I have since added other Members to this Court, and my own acquaintance with the Citizens, enabled me to make a selection.— I believe the inferior Court, was for some time popular, but the Certainty and Expedition, with which debts were recover'd, excited the Clamour of Debtors, and the great influx of American and French Lawyers, wearied, (by their pleadings) the patience of the Court, and occasion'd the Disgust of some of the members.—

The writer of the pamphlet has attended to the magnitude of my late judicial powers, and stated, (what is very correct) my want of Information as to the Spanish Laws, and also of the French Language. The magnitude of these powers, was always a source of uneasiness to me, and I refus'd to exercise judicial authority, as long as the Interest of the people wou'd permit.— but New-Orleans is a great commercial City; trade and Credit are inseparable; Debts were incurr'd—Contracts enter'd into, and Disputes between Merchants and others, daily arising.— My favorite wish, to exercise but little judicial authority, cou'd not be indulg'd, and I found myself compell'd to open a Supreme Court, and to preside therein, as the sole Judge.—I however tried but few original Causes.— No Gentleman who attended the Governor's Court, but witness'd the reluctance with which I took Cognisance of suits, and the desire I manifested to postpone such, as cou'd safely be done, without injury to the parties.— Although I will readily acknowledge my want of Information of Spanish Law, yet I profess to be acquainted with the Laws of Justice, and I verily believe, none of my decisions, are in violation thereof;— but the writer of the pamphlet, has not attacked my probity as a Judge, and I feel a conscious Conviction, that in that Character, the purity of my Conduct and Intentions, will never be question'd!—

But it is objected, that the Supreme Court was not organiz'd upon Spanish principles: this was also impossible; an officer called the Auditor, was formerly Council to the Governor: all cases of importance were submitted to him; he reported a statement of each case in writing, together with his opinion thereon; if this opinion was sanction'd by the Governor, the auditor was responsible; but the Governor had authority, upon his own responsibility, to decree otherwise than was advis'd.— The auditor was appointed by the King, and was allow'd a

liberal Compensation:— It was not in my power, to have appointed such an officer.—

It is objected that the proceedings of the Supreme Court, were conducted in the English Language: This, (if indeed it shou'd be consider'd as improper) was unavoidable, as the Judge knew neither French nor Spanish;— it certainly wou'd have been a great Convenience to have been correctly acquainted with the French Language, but I do not Suppose, that for want of such Knowledge on my part, the people sustained any injury. — When in Court, I had always an Interpreter of Talents, by my side; and when in my offices, I seldom was at a loss for an interpreter, and of late, my own Knowledge of the Language, has been sufficient to guard me, in some measure, against a misinterpretation or a misrepresentation of my sentiments.— The writer of the Pamphlet, charges me with manifesting much Indifference, as to the admission into Louisiana of the Brig'ands &c— This charge is as ungenerous, as it is unfounded.— Upon this Subject I have taken every precaution in my power, and it has really been a source of great anxiety and trouble.— The Extract from my official Journal, accompanying this Letter, from page 1— to page — will acquaint you with various measures that have been taken, to prevent the Importation of dangerous Slaves.— A few distressed French Families, who were exil'd from Jamaica, and sought an assylum in Louisiana, were permitted to land their faithful Domestics, upon giving satisfactory proof, that they had not been concern'd in the Troubles of St. Domingo, and I have never understood, that this permission, which Humanity dictated, was disagreeable to the Louisianians.— Not many weeks since, four or five English Gentlemen, emigrating to Louisiana, were also permitted to land their Domestics, upon giving like assurances, and entering into bonds, not to sell any of the male Slaves above the age of 18 years, for a

limited period.— It is not improbable, but some base Speculators, may have taken advantage of these Indulgencies, and introduc'd dangerous Slaves; and it is also very probable, (and it is so reported) that some Brigands may have escap'd the Vigilance of the officers at the Balize and Plackinin, by a passage in the night, or Concealment in the Holds of Vessells:— but on this account, no blame shou'd attach to me:— since, however, the first of October, the act of Congress, in this particular, has given to the Citizens additional security.—

To conciliate public opinion, and to promote Harmony, have been my favorite objects:—but I have been less fortunate, than I had anticipated!— Unfortunate Divisions, certainly exist in Louisiana; but the seeds of discontent, were sown, previous to my arrival in the province, and they have deriv'd nourishment from causes, which I cou'd neither controul or counteract.—

The news-paper scribbling, which has excited so much sensibility, I have seen and sincerely regretted; but it does not devolve upon me, to correct the Licentiousness, of the press.— It's Liberty I will never invade!—

Perhaps there are some other Statements in the pamphlet, which I ought to notice; but I at present feel myself very unwell, and must therefore hasten to a Conclusion.—

On taking a retrospective View of my late Administration, I can charge my Memory with no Act, that my Conscience and Judgment do not approve! It is, nevertheless probable, that I may have committed many Errors: for I was plac'd on a new Theatre, and had a part to perform, which I did not well understand.— Amidst, however, many Difficulties, I have caus'd the Laws, in Mercy, (and I hope too,) in Justice, to be administer'd! Amidst a Contrariety of Interests, of prejudices, of

Opinions, of Designs and Intrigues, the peace of society has been maintained, and the Liberty, property and Religion of the Citizen, protected.—

I pray you, Sir, to excuse this long Letter, and to receive assurance of my———

———great Respect & sincere Regard

The Honble.

William C. C. Claiborne

James Madison

——— ” ——— ” ———

Sec'y of State.

Gov. Claiborne

16 Octr. W 04

Recd. 22 Novr

Extract of a letter from the Governor to M. Bore Mayor of the City.

New Orleans, Feby. 8, 1804.

“I have had the honor to receive your letter of the
“6th instant.

“The precautions recommended by the Municipality,
“with respect to the introduction of Negroes and free
“mulattoes from the Antillas into this Territory, appear
“to me highly expedient, and I shall with pleasure and
“promptitude, give the necessary orders upon this sub-
“ject to the Commandants of Plaquemines and the
“*Balise*.”———

Note—

Orders were immediately issued by General Wilkin-
son at my request in conformity to the wishes of the Mu-
nicipality.

W. C. C. C.

Extract of a letter from the Governor to the Secre-
tary of State— dated New Orleans 12th July 1804.

“All vessels with Slaves on board are Stopped at Pla-
quemines, and not permitted to pass without my consent

— This is done to prevent the bringing in of Slaves that have been concerned in the insurrection of St. Domingo; but while any importations are admitted, many bad characters will be introduced. The Citizens of Louisiana are greatly apprehensive of the West Indian negroes, but no effectual stop can at present be put to *their introduction.*”—

To Col. Freeman

New Orleans 17 July 1804

Sir,

In consequence of some late fraudulent practices against the Revenue below Plaquemines and near the mouth of the Mississippi, the Collector of the District has been induced to station an Inspector at the Balise, and as it is very probable, he may in the execution of his duty meet with opposition from disorderly and fraudulent men, I request that you would be so obliging as to give Orders to the officers Commanding the troops at the Balise, to co-operate with the Inspector in all measures for the prevention of frauds and the security of the Revenue.

There is another duty which I must request you to exact from the Officer.— Previous to the arrival of the *period*, when by the law of Congress the importation of *Slaves* into Louisiana will be prohibited, there is no doubt, but exertions will be used to bring hither, as great a number as possible of that description of *persons* without regard to their Character; perhaps many of the refuse negroes of the English Islands may be imported, and even some of the Brigands from St. Domingo—precautions heretofore observed at Fort Plaquemines have not proved effectual; the vigilance of the meritorious officers at that Post (and my own) has been evaded, and

Speculatory and others have found many (either by passing the Fort in the night, concealment in the hold of the vessels, or answering falsely to questions) to introduce into this Province negroes whose characters and conduct, have given serious alarm to the good inhabitants of Louisiana. While therefore the introduction of African Slaves will be permitted until the act of Congress shall operate, I am particularly desirous to exclude those Slaves who (from late habits) are accustomed to blood and devastations, and whose Counsel and communication with our present black population may be pregnant with much future mischief.— May I request therefore, that the officer at the Balise be instructed “to board the different vessels passing up the Mississippi; ascertain the number of Negroes on board, from whence they came, the name or names of the owner or owners, or the person to whom consigned, and that he report the former to the officer Commanding at Plaquemines.” It may happen that at all times it will not be in the power of the officers to board a vessel, and in this case a report to him from the Captain of such vessel will be satisfactory.” It is expected that an express boat for the conveyance of letters will shortly pass between the Balise and this City, but until this arrangement is made, it is presumed that Communication between the officers at Plaquemines and the Balise may be forwarded with safety, either by vessels or passengers passing up and down the River.

I should advise the Pilots at the Balise of the instructions to the officer relative to vessels and instruct them to conform thereto.—

In consequence of the stationing of the detachment at the Balise, I must ask the favor of you to give some additional instruction to the officer at Plaquemines and which I will communicate to you very shortly in a letter.

I am sorry to make of you any request which will di

vide your Command, and increase the duty which is already devolving upon the military, but the great solicitude of the City upon the Subject of Negroes, and the necessity there is for a temporary post at the Balise must plead my apology.

Lt. Col. Freeman

Commg. U.S. Troops N. Orleans

To Capt. Johnson

New Orleans 18 July 1804

To Captn Johnson 1st Pilot at the Balise.

Sir,

The Officer commanding the detachment of troops at the Balise has been instructed to visit every vessel entering the mouth of the River and to ascertain the number of Negroes on board, or to receive a report of the same on shore from the Captain or Commander of such vessel.— It is expected therefore, that you will co-operate with the officer in the execution of his duty, and that the Commander of no vessel will refuse a compliance with a regulation, which the interest of this Province peremptorily demands.

The importation of African Slaves will be permitted untill the 1st of October; but I am particularly desirous to prevent the introduction of any of the brigands of St. Domingo, or the refuse negroes of the West Indian Islands;— The vigilance heretofore observed, has been avoided, and Speculators and others have found means to bring hither many dangerous characters; hence the necessity of further precautions, and I request that you would communicate from time to time such information

upon the subject as you may suppose may exist assist the object in view.—

I am informed that Negroes belonging to persons residing in this City, and its vicinity often escape from the service of their masters, and by concealing themselves on board of vessels (Sometimes with the connivance of the Captain or Crew) pass out of the Province. I wish you would endeavor to prevent for the future like practices, and in all instances where you can detect such runaway Slaves, and secure the same at the Balise.

I can hardly Presume that a person entrusted with the Command of a vessel, can so far deviate from the character of a Gentleman as to assist in facilitating the escape of a Servant from the service of his master; I therefore rest with confidence that masters of vessels will with promptitude and pleasure, surrender to you all such runaways.

It being necessary at this season of the Year to guard with vigilance the health of New Orleans, it is determined that no vessel shall be Permitted to approach the City until she has been visited by the Physicians of the Port, or the Board of Health, and declared free from contagion; You will therefore inform Commanders of vessels of this regulation, and instruct them to come to, at, or near the first point below the City, and there receive the visit. A strict compliance with this regulation will be enforced.—

There is an Ordinance of the Municipality which directs every stranger within twenty four hours after his arrival at New Orleans, to report himself at the office of the Mayor of the City. You will be pleased to make known this Ordinance to passengers or others entering the river, in order *that they may conform thereto.*—

P. S. You will be pleased to communicate this letter to the Pilots generally, and take care that its contents

are complied with.— When a Runaway is arrested, a reasonable compensation *will be made by the owner to the Pilot.*

To Capt. Nichols

New Orleans 25 July 1804

Sir,

To guard against frauds on the Revenue, and to assist in our endeavors to prevent the introduction of dangerous Negroes into this Province, Lieutenant Reynolds with 20 men has at my request, been Order'd by Colonel Freeman to the Balise;— The Lieutenant is from time to time report to you, and through you you he will receive his further Orders.

Your vigilance and general conduct as an officer are highly pleasing to me, but it has been discovered that some of the Brigands from St. Domingo have heretofore been landed below Plaquemines and introduced clandestinely into this City; to prevent a repetition of such occasions a Post is to be maintained temporarily at the Balise.

It is expected (as heretofore) that every vessel with Slaves on board will be halted at Plaquemines, examined, and the Slaves detained untill my permission for their passing is acquired.— The report of Lieut. Reynolds will enable you, to ascertain whether any part of the Crew has been landed below Plaquemines; and in every instance I wish you would State to me, whether on the arrival of the vessel at Plaquemines the number of the Negroes on board, their descriptions, character, and accord with the statement you received from Lieut. Reynolds.

Of late many negroes of this City have escaped from the service of their masters, and the the general opinion

seems to be, that they are secreted in vessels going to Sea: You will therefore render a service to the Citizens here, if you would direct one of your Sergeants to visit each vessel descending the River, and to make enquiry of the Captain thereof, whether he has observed any negroes not belonging to the Crew on board; and in all cases, where a runaway is discovered, to arrest and secure him in the Fort. I have understood that runaways sometimes conceal themselves on board of vessels without the knowledge of any of the Crew, and at other times by the connivance of some of the Sailors, and that after being discovered by the Captain, having no opportunity to return them to their masters, they are permitted to continue on their passage. The Sergeant detecting a runaway, may be permitted to charge Eight dollars, and One ration a day may be furnished such runaway (at 20 cents) all which will be reimbursed by the Owner.

There is a late Ordinance of the Municipality, which directs that any Strangers, coming to New Orleans, shall within 24 hours after his arrival report himself at the office of the Mayor of the City;— I will thank you to give this information to such gentlemen coming by Sea to New Orleans, as may call at Plaquemines in order, that they may conform thereto.

Captain Nicoll

Commg at Plaquemines

To the Mayor

New Orleans July 25 1804

To the Mayor and Municipality!
Gentlemen,

Lieutenant Reynolds, with a Sergeant, Corporal and twenty men are posted at the Balise, and such Orders

have been given that officer as will tend to prevent in future the introduction of dangerous Negroes into this Province. Additional instructions have also been given upon this subject, to the Commandant at Plaquemines, and to the Pilots at the mouth of the River. Every vessel ascending the Mississippi will be visited by the the officer at the Balise, and the number of negroes on board, their description and character, from whence they came, the names of their owner, or to whom consigned, are to be ascertained and reported. All vessels also (as formerly) will be brought to', and examined at Plaquemines, and the Negroes detained untill my permission for their passing is obtained, and in no instance are *Slaves to be admitted into the City*, until they shall be previously visited by a *Committee of the Municipality*.

Upon the subject of runaways the necessary Orders have also issued, and I hope the practice of taking Slaves from Louisiana by the way of the river will soon cease.

To James Madison

New Orleans Oct. 19th 1804

Sir!

On the 19th instant, a Duel was to have been fought between a French Citizen, and a British Subject, who are temporarily residing in this City: by some means, however, this affair of Honor did not take place, but on the same day, the French-man was can'd by the Englishman in the Streets, and, this Circumstance had very nearly produced on yesterday, some serious effects.—several of the warm Frenchmen, espous'd the causes of their Friend, who had been can'd the day before, and determining upon revenge, met his assailant, an affray immediately ensued; the Englishman being assaured, fir'd a pistol at the aggressor, retreated with haste, and call'd aloud for succour.—Several Americans went to his as-

sistance and relieved him from his angry pursuèrs.— The Rioters were immediately brought before me and, (with the advice and consent of five of the magistrates,) two of them were committed to prison for three days, and bound in a Recognisance to preserve the peace for twelve months.—

This affair, (which in any other City in the United States, wou'd be view'd as unimportant) has excited much agitation here; many Frenchmen, (I mean those, who are not ancient Louisianians) seem to make it a common cause, and having indulg'd themselves, in some illiberal abuse of the Americans, many of them, (who otherwise probably wou'd have remain'd neutral) are enlisted on the side of the Englishman.—

In this state of things, we thought it best to keep the principals in Joal for a few days, untill the public Ferment, shou'd have subsided.— Neither of the Judges having arriv'd and it being esteem'd doubtful how far the Act of Congress has recognis'd the late Tribunals of Louisiana, the criminal Jurisprudence, is left in a very lax State.— The general opinion here, is, that the powers of the Court of pleas for this City, have ceas'd, and a few of the members seem unwilling to act even as Conservators of the peace.—

Under these circumstances, (however painful it is to me) to exceed in the least the bounds of my legal authority) I find myself compell'd from necessity, to take measures for the public tranquillity.— This City requires a strict police; the Inhabitants are of various Descriptions; many highly respectable, and some of them extremely vicious.— great Exertions have been made, (and with too much success) to foment differences between the native Americans, and the native Louisianians; every incident is laid hold of, to widen the breach and to excite Jealousy and confusion.— The Intrigues of certain late Emigrants from France and some

of the Satellites of the Spanish Government, have tended considerably to heighten the Discontent in this Quarter; every thing in my power, has been done, to counteract these Intrigues, but with little Success; the fact is, that the affections of many of the Louisianians for their mother Country, are warm, and others seem attached to the Spanish Government.— I have to complain also of some of the native Americans: they *are rash, and very imprudent*.— The newspaper publications, also add to my Embarrassment; they give Inquietude to the Louisianians, and Trouble to me.— The present State of thing here, mortifies me excessively; but I hope, that good order will be preserv'd, and Harmony soon restor'd.— These objects shall constitute my first and greatest Cares.—

I am Sir

with great Respect

your Hble Servant

William C. C. Claiborne

P. S. On yesterday about thirty Frenchmen din'd with their Countryman in prison.—

The enclos'd lines were compos'd and sung on the occasion.— I do not know, that any native Louisianian was of the Party: but I have understood there were several, who under the Treaty claim to be Citizens of the United States.—

William C. C. Claiborne

————— “ ————— “ —————
To James Madison

New Orleans October 20th 1804

Sir

I enclose you a copy of a letter which I addressed to the Marquis of Casa Calvo on the 9th instant, relating to the continuance of certain Spanish officers in this Territory, as also a translation of his answer.

I am persuaded that these Foreigners are not well disposed to the interest of the U. States, and I thought it a duty to express my disapprobation to their residence here, So much beyond the right and occasion for it.”—

The Marquis tells me, that the Auditor of Intendants are the only officers remaining, but I nevertheless see daily, Persons in Spanish uniform, of several others who were formerly employed in the Custom House under the Spanish Government;— it is possible that those persons may have been permitted to retire on pensions, or to remain in this Territory in the enjoyment of their full pay.— I have also understood that the Spanish Monarch has not yet withdrawn his Patronage from the Priests in Louisiana, and particularly that the Vicar General (a Mr. Walsh) is paid his Salary regularly by the Marquis— I cannot vouch for the accuracy of this information; But I will make further inquiry, and will communicate the result;— If the information should prove correct, it may merit the attention of Government. The influence of the Priest here is considerable.

I am Sir,

Very Respectfully

Your Hble Servant

William C. C. Claiborne

The Honble.

James Madison

Secretary of State.

From Casa Calvo

Sir

Among the persons who were constituted in Authority by his Catholic Majesty in this Province, the Auditor of war Lieutenant Governour and the Contador (treasurer) Don Juan Ventura Morales, are the only officers remaining here, the First one has already the most part of his Baggage arrived at Pensacola, and I have directed

the second, to set out for his destination, as soon as it can be possible; this will be effected at the very instant when he has finally disposed a few things that relate to the Domains of his Majesty, which still require his presence. I will be carefull to procure that your Excellency does receive the satisfaction you wish to have. I give your Excellency this information as an answer to your Favor of the 9th Instant.

Please God to Grant your Excellency a Great many years. I wish it Sincerely. New Orleans the 10th of October 1804.

(Signed) the Marquis of Casacalvo.

I Certify the present translation

Moreau de Listery
interpreter by interim

To Casa Calvo

New Orleans October 9th 1804

Sir,

It is now near ten months since Louisiana was delivered to the United States, and yet the complete evacuation of the Province by the former Spanish authorities, as stipulated by Treaty, has not taken place.—

I can therefore no longer refrain from observing to your Excellency that the continuance in this Territory of many Spanish officers, so much beyond the right and occasion for it, is not seen with approbation; and I must particularly mention, that the early departure of Mr. John V. Morales who stiles himself Intendant and Contadore of the Royal Armies would afford me satisfaction.

I remain to your Excellency assurancy of my great respect & high considerations

Signed *William C. C. Claiborne*

His Excellency

The Marquis of Casa Calvo

To James Madison

New-Orleans Oct. 22nd 1804

Sir!

I have the Honor to enclose you a List of the Christian names of the Gentlemen commissioned by the President members of the Legislative Council, as also the Christian name of the Gentleman appointed Mārshal.

Three of the Councillors, to wit Messrs. Dowe, Boré and Jones, have declined serving: Messrs. Watkins, Morgan & Debuys have accepted.— I have taken measures, to inform the others of their appointments, but have not yet receiv'd their answers.— I have issued a proclamation convening the Council on the 12th of next month; but I very much fear I shall not be enabled to form a Quorum.— The opinion of Mr. Jones, in relation to his political consistency, seems to have been adopted by Mr. Boré, and I fear may also be embrac'd by other Gentlemen nam'd.— You will see, therefore, the necessity of the Vacancies being early fill'd.— I will venture to recommend Messrs. George Mathen, Eugene D'onsiere, and William Donaldson, as deserving the Confidence of the President.—

The enclos'd Letters, from the officer commanding at Natchitoches, will give you the news from that quarter.

Governor Folch, having quell'd the Insurrection at Baton Rouge, without the loss of blood, or even seeing an Insurgent, is about returning to Pensacola, and has solicited my permission for the passage of himself and Suite, by the way of N-Orleans; this has been granted, accompanied with assurances of my protection and friendly attention.

I am sir

very respectfully
Yr Hble Servt.
William C. C. Claiborne

..

From Edw. Turner

Natchitoches Aug 30 1804

Sir,

I received your favor by return of Express on the — Inst. and have made the Inhabitants acquainted with the Contents.— The Letter you mention by Lieut. Bloodworth has not yet come to hand.— I enclose you an extract of a Letter I received a few days since from the Commandant of Nacogdoches, by which you will perceive it is probable that he has good authority for his general conduct by a person lately from there. I am informed that any person who arrives from Louisiana is very strictly searched for Letters, and if any are found, they are immediately opened and read; and that the conduct generally pursued, is such, that nothing but an absolute state of warfare would justify.

A Mr. Edw. Murphy Mercht. of this place has the exclusive privilege of supplying the Indians of the Spanish Country with Goods, in consequence every thing necessary is sent by him from here to Nacogdoches, particularly large quantities of powder & Ball. No prohibition being on these articles, the Trade is a fair one, but in case of a difficulty either with the Spaniards or Indians we might feel the effects of it, the circumstance gives the Spaniards a great opportunity of ingratiating themselves with the Indians, whom they take great pains to convince that in consequence of their being furnished with what they want, they are under vast obligations. I do not give this information with a view of having the supplies stopped, but with an Idea of inducing a Factory establishment as soon as possible, which would divert the Indians from the present Channel of supply, and give us all the importance now attached to the Spanish; for I have not a doubt but the most remote Indians who are now supplied by them, would resort to us.— With consid-

eration I repeat I have the honor to be your Humble Servt.—

Edw. D. Turner.

Governor Claiborne

An extract of a Letter dated 15th Augst. from Capt. John Inaguin Ugante Command. of Nacogdoches to Capt. Edward D. Turner Commanding at Natchitoches—

“Respecting pasports you may give for this place, I should be very much pleased you would Limit them to the Inhabitants of your District only, or such persons as may have Debts & depending here, and find it absolutely necessary to come on to Liquidate their affairs of interest; *I not having it in my Power* to admit any other for the present moment *coming from Louisiana.*”

From Robt. Dow.

His Excellency William C. C. Claiborne Governor General of the Province &c. &c.. &c.

Sir,

I have duly received Yours of the 5th Instant and feel myself highly honor'd by the President of the United States and by Yourself Sir, in calling me to a Chair in the Legislature of this Country and had not other Circumstances interven'd I should have done the best I could for the public good, but my present Situation in this Country and my family concerns put it entirely out of my power to serve.

I therefore beg your Excellency will admit this my just Excuse, and be assured of the high Consideration with which I have the honor to be

Sir,

Your Excellency's Most Obedient
& very humble servant

Robert Dow

New Orleans 10th of October 1804

A List of the Councillors.—

Stephen Bore	resigned
Evan Jones	Do
Robert Dowe	Do
Benjamin Morgan	accepts
Gasper Dubreys	do
John Watkins	do
Michael Cantrell	not known
William Kenner	Do
Julian Poidras	Do
Daniel Clark	Do
James Roman	Do
William Wikopp	Do
and	
Bellchap Assilla Degantico.....	do

Marshall for the District of Orleans.

Francis Joseph de Briton Dorgonoy.

To James Madison

New Orleans October 26th 1804

Sir,

I enclose you a Duplicate of my Letter of the 16th Instant, which presents you with my reply to certain charges, contained in a Pamphlet, which has heretofore been forwarded to you.— Perhaps this Publication will not receive any credit to the Northward,— But as the attention of the American Citizens is turned to Louisiana, and from our great distance from the Seat of Government and other causes, events in this quarter are too apt to be misrepresented, I thought it prudent not to remain silent under acusations made against me, even by an anonymous writer.

Altho' there has been much discontent manifested in New Orleans and its vicinity, yet I do not believe that

the disaffection is of a serious nature, or that it is extensive. That some *difficulty* would attend the Introduction of American Government and Laws, was to have been expected;— On every change of Dominion, discontent more or less invariably ensues, and when we take into view, the various and rapid rapid transitions and transfers which have taken place in this Territory, we may indeed felicitate ourselves on the great share of good order which has been preserved. The most arbitrary Governments find advocates, and the most unprincipled Despot is seldom without friends.—Where Despotism reigns, silence (produced by fear) is received as the Test of contentment, and a tame submission to Injustice, as a proof of the public sanction. Had an administration rigid, coercive, and unjust been introduced into the ceded Territory under the authority of the United States, I am persuaded there would have been less mourning, and a delusive appearance of popular approbation,— But under a mild and just Government which admits freedom of Speech and of opinion, the Man indeed must be little acquainted with human nature, who would expect to find in Louisiana union in opinion and sentiments.— I know not whether any or what particular exception may be taken at the Seat of Government to my administration, But I can conscientiously say, that my conduct thru'out has been directed by the purest motives of honest patriotism, and that my measures were rendered necessary by existing circumstances, on strong considerations of political expediency.

I have the honor to be Sir,

With very great respect yo: mo: obt. Sevt.

William C. C. Claiborne.

The Honble.

James Madison

Secretary of State

Washington.

————— „ ————— „ —————

To James Madison

New Orleans October 27th 1804

Sir,

In my Letter of the 10th Instant, I mentioned only six offices that might properly be considered as lucrative;— Perhaps to those, I might to have added the Attorney General for the Province, the Physician for the Port of New Orleans, the Secretary to the Municipality, and three Vendue Masters or Auctioneers, all of which are commissioned by the Governor, although their emoluments are supposed to be very inconsiderable.— The Attorney General is a Native American as also the Physician of the Port, but he is married to a Creolle of the Country and has resided in the Territory for four years; — The Secretary to the Municipality is a native frenchman, I believe an ancient Louisianian; one of the Auctioneers is a Native of Ireland, & has been an Inhabitant of this City for several years; another is a Native of France, and resided in Louisiana on my arrival; and the third (lately appointed) is a Native of the U. States, and the Son of a frenchman. With respect to appointments of honor and Trust, not communicated in my Letter of the 16th instant, I may mention the Members of the Board of health consisting of nine Members, of whom *two only* are modern Louisianians.— My My object has been to avail the Public of the services of deserving and well informed Citizens, and as there are many Native Americans of this description residing in Louisiana, it ought not to be a matter of surprise, that some of them should have received offices.—

The ancient Louisianians hold as many appointments

as their numbers & qualification entitled them to; and cannot therefore have cause of complaint.

I am Sir,

Very respectfully

Your hble. Servt.

William C. C. Claiborne

The Honble.

James Madison

Secy of State.

P. S. Of these officers appointed by the President, the Louisianians seem to me, to possess their due proportion; the Surveyor of the Port of New Orleans, and also of the Bayou St. John are ancient Louisianians, & the Marshall for the District, is a Creol of the Province.

W. C. C. C.

To James Madison

New Orleans 3d Nov. 1804

Sir

On yesterday I received a letter from the Deputy Collector of which the enclosed No. 1 is a Copy, informing of the arrival in the Mississippi of a vessel with a number of Frenchmen on board, who had captured Said vessel on the high seas under particular circumstances—

I determined that anon the Treaty, it would be improper to permit this vessel to find an assylum here, and was further convinced that the sudden arrival of so many Frenchmen in this City (whose habits & situation are not probably calculated to render them useful members of Society) might disturb the harmony of our own community;—with a view therefore to the Speedy departure of Said vessel and her Captors, I have Taken certain measures of which the enclosed No 2, 3, 4 5 and 6 will particularly inform you.— I have done on this occasion what prudence suggested, and my judgment sanctioned, and I

sincerely hope my conduct will be approved by the President—

I am Sir

Very Respectfully

Your most Obt. Servt.

William C. C. Claiborne

The Secretary of State

Copy

To Capt. Saml. Davis

New Orleans Nov 3d. 1804

Sir

I have received information that a vessel with near two hundred Frenchmen on board, said to have been prisoners of War to the Government of Great Britain, has entered the Mississippi, with a design of coming to this port;— It is further represented that the said vessel on her passage from Jamaica to some port in Great Britain was taken by the French on board & brought into the Mississippi— If this statement be correct “no refuge or shelter” can be given in any port in the Territory to said vessel, and she must depart as soon as possible— You will therefore proceed immediately to Plaquemine where you will find the vessel alluded to detained, and ascertain how far the Statement made to me be true; If you find that the vessel is a prize, or that she was captured in manner as described you will hand the Letter herein enclosed,— to the person who shall appear to have command of said vessell, and urge her immediate departure—

On your return you will be pleased to make me a particular report upon the subject of your mission—

Wishing a continuance of your health & an agreeable journey

I remain Sir very Respectfully

(Signed) Wm. C. C. Claiborne

P. S. Should you find the vessel in distress you will

hand to the Person commanding her, the Letter which directs a Departure after the necessary relief is obtained.

W. C. C. C.

Copy

To Capt. Nicoll, Commanding at Plaquemine

New Orleans Nov 3d. 1804

Sir

On yesterday Col. Freeman at my request issued orders to prevent the passage by Plaquemine of a vessel, lately entering the Mississippi with a number of Frenchmen on board who were late prisoners of War to the British Government, and who captured said vessel (from the crew) on her passage to some Port in Great Britain.

Capt. Davis who will hand you this Letter carries my orders for the immediate departure of said vessel, unless indeed she should be in *distress*, and in *this case*, she may be permitted to obtain the necessary supplies and forthwith retire with all possible dispatch. I hope you will be careful to prevent any person on board from landing or passing up the river— I tender you my thanks for your past vigilance, and am persuaded in the present occasion, your good conduct Will entitle you still further to the confidence of

Sir your most Obt. servt.

signed W. C. C. Claiborne

P. S. I will thank you to receive Capt. Davis with friendly attention & to forward him (on his return) by water to Gentilleys, where he will procure a horse—

Copy

To the Gentlemen Commanding the Barque Hero, now detained at Plaquemine.

Sir,

New Orleans Nov. 2d 1804

In conformity to existing Treaties between the United States and the belligerent powers the Barque Hero &

her Captors cannot find an assylum in any Port in this Territory;— I therefore require you to depart as soon as possible.

I am Sir

Very Respectfully

Yr. Hble. Serv.

(Signed) Wm. C. C. Claiborne

Note—This Letter to be delivered in the event, that the vessel is fit to proceed immediately to Sea.

W. C. C. C.

Copy

To the Gentleman Commanding the Barque Hero now detained at Plaquemeine.

New Orleans 2 Nov. 1804

Sir,

In conformity to existing Treaty between the United States, and the beligerent powers, I must compel you to depart with your prize,— If however you have entered the river in distress, you are permitted to obtain the necessary supplies; but you must retire as soon as possible—

I am Sir

Very Respectfully

Yr. Hble. Serv.

(Signed) Wm. C. C. Claiborne

Note—This Letter to be delivered, if the vessel should prove to be in distress.

W. C. C. C.

To James Madison

New Orleans 3rd November 1804

Sir,

I enclose for your perusal several *Letters*, which I have lately received from Nachitoches, together with copies of several communications (Nos. 1. 2. 3. & 4.)

which *in consequence thereof*, I have addressed to the Marquis of Casa Calvo, Cap: Butter & to Captain Turner the Commandant at Nachitoches.—It will certainly require great prudence and caution to preserve Peace on the Frontiers, and to maintain a good understanding with our Spanish and Indian Neighbours.— On my part nothing shall be omitted to insure tranquility; but if the Spanish authorities are unfriendly disposed, I fear some troubles may insue. When the Marquis's answers to my communications are received, they shall be transmitted to you.—

I am Sir,

Very respectfully

Yo: Mo: Obt. sevt.

William C. C. Claiborne

The Secretary of State)
for the United States.)

To Casa Calvo

Copy

New Orleans October 30th 1804

Sir,

I have received recent Dispatches from Nachitoches, which announce the desertion of nine Slaves (the property of citizens of the United States) to *Nacogdoches*, and the arrest of many others, who had formed a determination to desert, and repair to that *Post* in full expectation of receiving protection from the Spanish Government;— The inhabitants of the District of Nachitoches manifest on this occasion much inquietude, and entertain just apprehensions for the safety of their property:— The causes which have led to these unpleasant occurrences, I have heretofore communicated to Your Excellency, and the assurances which were given me, that no existing decree of his Catholic Majesty promised freedom & protection to Negro's escaping from the serv-

ice of their masters, and that your Excellency had addressed a Letter to the Commandant of Nacogdoches upon the Subject induced me to hope, that the fears of the Inhabitants of Nachitoches would prove groundless— But these fears are now realized, and I must again request the interference of Your Excellency: If the protection be offered by the Commandant of Nacogdoches to a Single Slave deserting the service of his master, the consequences which will ensue, may readily be anticipated.— Consequences which will be injurious to the citizens of the United States, and may tend to disturb that good understanding between our two nations, which it is their mutual interest to cherish & preserve.—

I pray Your Excellency to be assured of my great Respect & high Consideration.—

(Signed) William C. C. Claiborne

His Excellency

The Marquis of Casa Calvo.

Copy

To Casa Calvo

Sir

New Orleans October 31st. 1804

Communications to me from several commandants on the Frontiers of Louisiana State, that late attempts have been made by some Subjects of his Catholic Majesty residing in the Province of Taxus, to alieate the affections of certain Indian Tribes from my Country, and to excite them to the commission of outrages.— Persuaded that this conduct is not authorized by the officers of Spain, and that his Catholic Majesty would hear with regret, that any of his subjects should be instrumental in involving a neighbouring & friendly power in an Indian War, have made you Sir this communication, & I doubt not but your Excellency will address a letter upon the subject to the *Governor of Taxus*, and impress upon that officer the propriety of restraining the people within his Govern-

ment, from all acts of aggression or injury towards the citizens of the United States!— I take this occasion to to renew to your Excellency assurances of my great Respect & Sincere Esteem—

(Signed) William C. C. Claiborne

His Excellency

The Marquis of Casa Calvo.—

To Col. Butler

Copy

New Orleans Novr. 1st 1804

Sir,

Late accounts from Nachitoches represents that settlement as being in a state of Inquietude and alarm. This has arisen from some unpleasant movements among the Slaves; the desertion of nine *negro men* to Nacagdoches; & the arrest of many *others* who had formed a design to repair to that Post, in hopes of receiving protection, and a Report which I fear is not without foundation, that attempts have recently been made by subjects of his Catholic Majesty to excite certain Indian Tribes West of the Mississippi to wage war against the United States. — In this state of things, I have deemed it my duty to suggest to you the propriety of sending a small reinforcement to Nachitoches; It is at present a Barrier Post; on our most exposed Frontier, and liable to sudden attack by Indians. — I am inclined to think that a detachment from the Troops now at Attackapas and Appalonsas as might with propriety be ordered to Nachitoches; A Subaltern officer and 12 or 15 men stationed at Attackapas would be sufficient to aid the civil authority in the preservation of good order.—

I am Sir,

With respect & Esteem

yo. obt. sevt

Colonel Butler

William C. C. Claiborne

From Edw. D. Turner

Natchitoches October 13th 1804

Sir

I have received your Letter of the 20th Ultimo in Six days from its date, and had already anticipated part of the Contents, by doing every thing in my power to cultivate a good understanding with the Indians, but I have to request your immediate attention to a paragraph of my Letter of the July 16th respecting the Cados— I learn that the chief intends shortly to be here, and I had promised by the time he arrived to inform him what he might expect upon the Score of Presents. At this critical junction when I am convinced the Spaniards are exerting every means to Induce the Indians to be unfriendly it would not be good policy to let him return dissatisfied— Since I last wrote you, a man by the name of James Feel living near the head of the Sabine and within our present Territory, had been told by the Consaté tribe of Indians, that he had better drive off his Stock and move himself, for the Spaniards had been for sometime trying to induce the Indians to Commit depredations upon the American frontier, and that they intended shortly to begin.

With respect Sir I am

your humble Serv.—

Edw. D. Turner

Civil & Military Commandant

Governor Claiborne—

From Edw. D. Turner

Natchitoches Oct. 17th. 1804

Sir

Just as I closed my Letter of yesterday I understood two white Men had been apprehended as having been concerned in the affair with the Negroes. I therefore detained the Express till I could obtain more information. They arrived here last Night with eight Negroes accom-

plices; their accesser is white man, a Spaniard, or rather what is called a *Washananga*. He says they both at different times told him that they were going with the Negroes to Nacogdoches, and asked him to go along but he refused and they threatened him if he ever said any thing about it. One Monterey A Spaniard now at Nacogdoches, appears to have been the prime instigator and one of the two whites who are apprehended is a Spaniard. The Party who went in persuit of the Negroes gone followed them as far as Sabine where they ascertained they had crossed the day before and as they found it impossible to come up with them before they arrived at Nacogdoches: they gave over the pursuit. The Negroes took with them twenty Horses and at the rate they went frequently changed it is supposed.— By the first opportunity I shall send you the depositions of the White Man and confession of the Negroes— In haste I have the honor to be your Humble Sevt.

Edw. D. Turner.

Governor Claiborne

P. S. This circumstance has so enraged the Inhabitants against the Spaniards, that I believe they would almost to a man willingly go to Nacogdoches and lay it in waste. In fact they have requested me in case the Negroes are not sent back to permit them to go, observing that is some thing is not immediately done, they will not have a Slave left in three months. I have tried to quiet them by saying they may depend on protection & Justice—

E. D. Turner

From Edw. D. Turner

Natchitoches October 16th 1804

Sir,

I hasten to inform you that the tranquility of this District has received a violent shock.—and the Inhabitants are now in the greatest state of alarm—Almost at the lower end of the District on the Maria Cave on the

16th at Dusk it was discovered that the Negroes of one or two plantations had formed a scheme to desert to Nacogdoches, and before a sufficient number of the Citizens could be warned, nine had got off, after breaking open a House and stealing a quantity of powder and Lead Arms & they took with them a number of slaves one who was preparing to join their gang, was discovered and shot at by the Patrol and though not wounded, was so bewildered in consequence, that he lost his way and the next day gave himself up he has turned informer and has already implicated thirty. I have not yet seen this fellow, but one sent up to me declares they have been persuaded by a Spaniard living at Nacogdoches, and lately from there, who told them if they went to the Spanish Country they would be made free.—Every moment new intelligence is arriving of the extent and complexion of the plot, as I have concluded this sentence, a man arrives who tells me that three of the Citizens of a party of twenty, who pursued the runaways have returned in consequence of having discovered that three of the Negroes had turned back, they traced the whole party into the great Nacogdoches road and it appeared they did not mean to take the Woods, but were making the best of their way for that place. The Negroes who returned it was supposed came back to ascertain the reason others had not joined them. An Indian Boy has informed that they were about last night among the Negroes exciting them to be firm and determined, particularly as the plot was discussed every Negro is furnished with a Whistle, and the patrols heard them make use of them last night, they were not fortunate enough to catch one of them, I have sent a strong party tonight in the Neighbourhood, as it is expected they mean to make some desperate effort.

I have written to the Commandant of Nacogdoches upon this affair of which the enclosed is a Copy, the per-

Government: That their interest will be attended to, and in due time full redress obtained;—But acts of aggression on their part against The Subjects of Spain, are forbidden, and you are enjoined to prevent any attempts of the kind.—

With respect to the Indian Tribes, you will continue (I hope) to do every thing in your power to engage their good will & friendship towards the United States: You may furnish rations to such *honest, well disposed Indians* as may visit the Post: but presents to them generally I am not authorized to make; I however will take upon myself the responsibility & permit you to make Presents to the chiefs of the Cadoos & his principal men not exceeding in value Two hundred Dollars.—

I shall intimate to Capn. Butler the propriety of sending a reinforcement to Nachitoches, and it is not improbable but such arrangement may be made as will shortly renew your force more Respectable.—

I am Sir Respectfully

Yr. Hhble Servt.

William C. C. Claiborne

Captain Turner)
Nachitoches.—)

To James Madison

New Orleans Nov. 5th. 1804

Sir,

Since my last letter Mr. Canterelle and Mr. Clarke have also declined accepting their commissions as Members of the Legislative Council.— There is no doubt that some of the promoters of the Memorial have taken these means to embarrass the local Government, and to force Congress to accede to their wishes;— but such Imprudencies seem to me illy calculated to benefit their cause. — I have the pleasure however, to inform you, that Mr.

Julian Poidress of Point coup   , the wealthiest and most influential man in the Territory. accepts his Appointment.—

Mr. Poidrass in his Letter to me upon the subject, says, “My answer to your Letter of the 5th October, shall “be sincere. The Precedent of the United States, having “appointed me a Counsellor I conceive it a duty to accept.— If those, who have great Interest in the Country, “should decline serving it, when called upon, their conduct would be unwarrantable.— I could offer many “plausible Excuses, such as Age, Insufficiency of Talents, “self Interest &c, but in doing so, I should not act the “part of a Patriot.— A beginning must be made; we “must be initiated in the sacred Duties of Freeman and “the Practices of Liberty.— I shall endeavour to meet “you in Council on the 12th of November.”

The acceptance of Mr. Poidrass is a fortunate occurrence and his Conduct and reasoning form a happy contrast to the part acted by Mr. Jones, Clarke & others.— There are three Gentlemen named from whom I have not yet received answers: Their acceptancies will enable me to form a Council, but I very much fear one or perhaps two may decline, and in either Event, a Legislature cannot be organis’d, until the President shall have forwarded the names of other Gentlemen.—

If a Council is not formed on the 12th inst.— I fear the People will experience much inconvenience, and of which when fully apprised, they will confide less in the Discretion, Patriotism and Wisdom of their present influential Characters.—

I had no Idea that any Citizen here named a Councilor would decline, from party motives, untill after I had received the nominations of the President, and I early communicated to you, my fears, that the Sentiments conveyed by Mr. Jones in his letter to me would be embraced

by others, and that it was doubtful, whether a Council would be formed.— In consequence of this information, I indulge a hope that I shall soon receive from the President the names of several Gentlemen as successors to those who may have declined.—

The Supreme Court was organized on this morning. Judge Prevost, (the only Judge in the City) delivered a sensible Charge to the Jury, and every thing was well conducted.

I am Respectfully

Your Obt. Servt.

The Honorable)	William C. C. Claiborne
James Madison)	Gov. Claiborne
Secretary of State)	5 Novr 1804

To James Madison

(DUPLICATED)

New Orleans November 18th 1804

Sir,

I have the Honour to enclose you several Documents relative to the Barque Hero from No. 1 to No. 6 inclusive, as also a copy of two Letters to Captain Nicolls & marked No. 7 & 8.—

Some of the prisoners who have made their escape from the Hero and came up to this City, have already proved themselves unworthy Members of Society, and I am therefore the more desirous to prevent the men now on Board of that vessel from Landing. I must confess Sir, I did not know what were the most prudent measures to direct in relation to the Hero and her passengers and crew: But, under existing circumstances, I thought it best that the Vessel and those on Board, should depart. I suggested some Port in the United States, as proper for their destination under an impression that it would serve

as an inducement to their departure, and that no where in the United States would the residence of those strangers be as dangerous as in New Orleans.

The arrest of a Spanish Officer in this City, by a writ issuing from the office of the Superior Court, has occasioned much agitation here, and greatly excited the displeasure of the Marquis of Casa Calvo, and of Governor Folch; I will give you the particulars in my next Letter, and in the mean time I pray you to be assured, that the Conduct of the constituted Authorities has been correct. I have not yet been enabled to form a Council; only five of the Gentlemen nominated by the President have accepted, to wit, Messrs. Poidrass, Watkins, Morgan, Wikoff and Kenner. The first four are now in the City, and the fifth is every day expected.

I hope in God, the next Mail will furnish me with the names of some Gentlemen as successors to those who may decline. A Council is greatly wanted and the Interest of the Territory suffers much by the delay of legislative interference.

Party Spirit here is certainly subsiding, and I am persuaded that the Inhabitants of the Country are becoming much better disposed to the United States; But in this City *there are many disorderly and dangerous characters*. Neither the Secretary (W. Brown) or Colo. Kirby, has yet arrived, the latter Gentleman is reported to be dangerously ill at Fort Stoddart.

I am Sir very Respectfully

Your most obt. Servt.

William C. C. Claiborne

P. S. The original Letter (with the Documents) is forwarded by water to Philadelphia.

W. C. C. C.

The Honble.

James Madison

To James Madison

New Orleans November 8th 1804

Sir,

I enclose you a Petition from the Inhabitants of Point Coupeé, which was this day presented to me by two Gentlemen who mentioned that the News from Nacogdoches, was in circulation among the Negroes in that Settlement, and had produced in their opinion that Spirit of insubordination which existed.

In consequence of the Petition, I have requested Colo. Butler by Letter (No. 1) to detach a Subaltern's command to Point Coupeé, and have also made communications to the Marquis of Casa Calvo and to the several District Commandants of which Nos. 2. 3 & 4 are copies.

Our Troops here are too few in number to admit of detachments to the various Posts where they would be Serviceable, and I most earnestly advise that the regular Force in Louisiana be augmented with all possible dispatch.

A Revenue Cutter and a Gun Boat would also be highly useful in this quarter and tend greatly to the Security of the Revenue.

I am Sir very Respectfully

Your most obt. Sevt.

William C. C. Claiborne

The Honble.

James Madison

Secty State

P. S. I am well aware that the Marquis has no controul over the officers in the Province of Taxus, but my Letters to him will command answers, and it is probable, that in them may be discovered the real views of the Spanish Court.

William C. C. Claiborne.

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